

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, CIRCUIT COURT,**  
**HYDERABAD**

Criminal Bail Application No.S-516 of 2022

DATE	ORDER WITH SIGNATURE OF JUDGE
1.	For orders on office objections.
2.	For hearing of main case.

23.05.2022

Mr. Zeeshan Ali Memon, Advocate for applicant.

Ms. Safa Hisbani, Assistant Prosecutor General Sindh.

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**Irshad Ali Shah J:-** It is alleged that the applicant and co-accused Khuda Bux alias Khuddo were found to be in possession of two bags each one was containing three kgs of *Bhang*. The applicant was apprehended at the spot while co-accused Khuda Bux made his escape good, for that the present case was registered.

2. The applicant on having been refused post arrest bail by learned 1<sup>st</sup> Additional Sessions Judge/MCTC Badin has sought for the same from this court by way of instant application u/s 497 Cr.P.C.

3. It is contended by learned counsel for the applicant that the applicant being innocent has been involved in this case falsely by the police and co-accused Khuda Bux alias Khuddoo has already been admitted to bail by learned Trial Court, therefore, the applicant is entitled to be released on bail on point of further inquiry.

4. Learned A.P.G for the State has opposed to release of the applicant on bail by contending that the offence which the applicant has allegedly committed is affecting the society at large.

5. I have considered the above arguments and perused the record.
6. There is no independent witness to the incident and only 20 grams of *Bhang* taken from each of the bag has been sent to chemical examiner, therefore, the liability of the applicant, if any, would be only to that extent. Co-accused Khuda Bux alias Khuddo has already been admitted to bail by learned Trial Court. The report of chemical examiner is still awaited. In these circumstances, a case for release of the applicant on bail on point of further inquiry obviously is made out.
7. In view of above, the applicant is admitted to bail subject to his furnishing surety in sum of Rs.50,000/-and PR bond in the like amount to the satisfaction of learned trial Court.
8. The instant bail application is disposed of accordingly.

JUDGE

Muhammad Danish\*