

THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA

1st Criminal Bail No.S-378 of 2023

Applicant: Rashid son of Sikandar Maree through Mr. Habibullah G. Ghouri, Advocate.

The State: Through Mr. Aitbar Ali Bullo, Deputy Prosecutor General, Sindh.

Date of hearing: 24.08.2023

Date of Order: 24.08.2023

ORDER

SHAMSUDDIN ABBASI, J.- Through instant bail application, applicant Rashid seeks post arrest bail in the case Crime No.45/2023, registered at Police Station Taluka, Larkana for offence punishable under Section 9(c) of the CNS Act, 1997 after his bail plea was declined by the learned IIIrd Additional Sessions Judge/Special Judge for Control of Narcotic Substances, Larkana vide Order dated 26.06.2023.

2. The facts in nutshell are that on 19.05.2023 ASI Shoukat Ali Jatoi lodged F.I.R. alleging therein that during patrolling 4 kg and 980 grams chars was recovered from the possession of the applicant/accused; he prepared mashirnama of arrest and recovery at the scene of offence and brought the recovered material and accused at the police station and lodged F.I.R to the above effect.

3. Learned counsel for the applicant after arguing the matter at some length submits that he would be satisfied and will not press instant bail application, if the directions are issued to the trial Court for earlier disposal of the case. He further pointed out that the Court of learned IIIrd Additional Sessions Judge,

Larkana is lying vacant, therefore, his case may be transferred to any other Court having jurisdiction. On the other hand, learned Deputy Prosecutor General has recorded no objection to such proposal.

4. In view of above, instant Criminal Bail Application is dismissed as not pressed. However, Special Narcotics Case No.71 of 2023 (*re-The State v/s. Rashid Marri*) is transferred from the file of learned IIIrd Additional Sessions Judge/Special Judge for CNS, Larkana to the learned Sessions Judge, Larkana for disposal of the case or he may assign the same to any other Court having jurisdiction with direction to expedite the trial and dispose of the same preferably within a period of one month.

Instant bail application stands disposed of in the above terms.

Judge

Manzoor