

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD
Criminal Bail Application No.S-1081 of 2020

DATE

ORDER WITH SIGNATURE OF JUDGE

1. For orders on office objection.
2. For hearing of main case.

14.12.2020.

Mr. Abdul Hameed Bajwa, Advocate for applicant.

Ms. Sobia Bhatti, A.P.G for State.

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ORDER

Irshad Ali Shah J:- It is alleged that on arrest from the applicant was secured 2200 grams of charas by police party of P.S B-Section Shaheed Benazirabad led by SIP Ali Mardan Lund, for that he was booked in the present case.

2. The applicant on having been refused post arrest bail by learned Special Judge (Narcotic) Shaheed Benazir Abad 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; there is no independent witness to the incident and case property has been subjected to chemical examination with delay of about five days. By contending so, he sought for release of the applicant on bail on the 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 despite advance information to the complainant. The Narcotic substance which is alleged to have been secured from the applicant has been subjected to chemical examination with delay of about five days, such delay could not overlooked. The investigation of the case is over and the applicant is in custody since three months without effective progress in trial. 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 application is disposed of accordingly.

JUDGE

Ahmed/Pa,