

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

Criminal Bail Application No.S-1156 of 2020

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

24.12.2020.

Mr. Altaf Hussain Chandio, Advocate for applicant.

Ms. Sobia Bhatti, Assistant Prosecutor General, Sindh for State.

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ORDER

Irshad Ali Shah J:- It is alleged that on arrest from the applicant was secured 2460 grams of charas by police party of P.S Sakrand led by Inspector Asghar Ali Awan, for that he was booked in the present case.

2. The applicant on having been refused post arrest bail by learned Judge Special Court for Narcotics Shaheed Benazir Abad has sought for the same from this Court by way of instant application under section 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 eight 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 of the fact that the police party was having advance information about the incident which appears to be significant. The Chars has been subjected to chemical examination with delay of about eight days; such delay could not be overlooked. The investigation of the case is over and the applicant is in custody for more than two months without effective progress in trial and there is no apprehension of the tempering with the evidence on the part of the applicant. 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

Muhammad Danish Steno*