

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD**  
Criminal Bail Application No.S-17 of 2021  
Criminal Bail Application No.S-18 of 2021

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DATE

ORDER WITH SIGNATURE OF JUDGE

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For orders on office objection.

For hearing of main case.

**22.02.2021.**

Mr. Junaid Jabbar, 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 were secured 1980 grams of the Charas and unlicensed pistol of 9mm bore with magazine containing six live bullets of same bore, for that the separate cases were registered against him by police.

2. The applicant by making two separate applications sought for his release on bail, those were dismissed by learned trial Court, therefore, the applicant now has sought for his release on bail from this Court by making two separate applications 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 by making foistation of Charas and unlicensed pistol upon him; there is no independent witness to the incident and the applicant is in custody since three months therefore, he 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 applicant is hardened criminal of the area and habitual offender.

5. I have considered the above arguments and perused the record.

6. The name of the applicant is appearing in the FIR with specific allegation that on arrest from him has been secured the contraband

Charas and unlicensed pistol by police party of P.S. Kunri. In that situation, it would be premature to say that the applicant being innocent has been involved in this case falsely by the police. The police apparently was having no enmity with the applicant to have involved him in this case falsely by making foistation of Charas and unlicensed pistol upon him. No doubt there is no independent witness to the incident, but there could be made no denial to the fact that the police officials are as good witnesses as others. The applicant may be in custody since three months, but for this reason he could not be admitted to bail being habitual offender as is contended to be by learned A.P.G for the State. There appear reasonable grounds to believed that the applicant is guilty of the offence for which he has been charged. No case for grant of bail to the applicant is made out. Consequently, both the bail applications are dismissed with direction to learned trial Court to expedite the disposal of both the cases against the applicant preferably within two months.

**JUDGE**

*Ahmed/Pa,*