

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

Criminal Bail Application No.S-760 of 2021

Applicant : None present.
Respondent : The State through Ms. Rameshan Oad, Assistant Prosecutor General, Sindh.

Date of hearing : 15.11.2021
Date of Order : 15.11.2021

O R D E R

AMJAD ALI SAHITO, J:- Through the instant bail application, the applicant/accused above named seeks his post-arrest bail in Crime No.90 of 2021, under sections 23-(i)A Sindh Arms Act, 2013 registered at P.S Samaro, after his bail plea was declined by the learned Sessions Judge Umerkot vide order dated 24.08.2021.

2. The details and particulars of the F.I.R. are already available in the bail application and F.I.R., same could be gathered from the copy of F.I.R. attached with such application, hence needs not to reproduce the same hereunder.

3. None present for the applicant. Same was the position on the last two dates of hearing which shows that learned counsel for the applicant is not interested to pursue the matter; however the applicant is in jail, as such, I am inclined to decide the bail application on merits.

4. From perusal of record it reflects that police party on patrolling arrested the applicant and recovered 32 bore revolver from him which same was sent to the office of Forensic expert in order to ascertain whether it is working condition or not however report whereof suggests that said revolver is in working condition. From perusal of further record it reflects that the claim of the applicant is that the revolver has been foisted upon him due to enmity.

5. Learned Assistant Prosecutor General, Sindh opposed for grant of bail.

6. Heard and perused. Admittedly, the place of incident is thickly populated area but not a single person has been associated by the police as witness in the alleged offence to believe the alleged recovery otherwise the applicant claims his false implication by foisting the revolver upon him. It is yet to be determined whether the alleged recovery of revolver was made from the applicant or not when the evidence will

be record. Applicant is in jail since his arrest and he is no more required for further investigation, therefore, no purpose would be served to keep him in jail for indefinite period. Resultantly the instant bail application is allowed and applicant Imdad Ali is admitted to bail subject to his furnishing solvent surety in the sum of Rs.50,000/- and P.R. bond in the like amount to the satisfaction of learned Trial Court.

7. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the learned Trial Court while deciding the case of the applicant on merits.

*Muhammad Danish**

JUDGE