

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

Criminal Bail Application No.S-455 of 2022

<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE</b>
	For hearing of main case.

**25.04.2022**

Mr. Ahmed Nawaz Chang, Advocate for the applicant.  
Ms. Safa Hisbani, Assistant Prosecutor General, Sindh for State.

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**IRSHAD ALI SHAH J:-** It is alleged that the applicant was found in possession/transporting through his vehicle huge quantity of *Gutka* and *Mainpuri* a substance injurious / poisonous to human lives, for that the present case was registered.

2. The applicant on having been refused post arrest bail by learned Assistant Sessions Judge, Tando Adam 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; offence alleged against the applicant is not falling within prohibitory clause, therefore, he is entitled to be released on bail on point of further enquiry.

4. Learned A.P.G. for the State has opposed to release of applicant on bail by contending that the offence which the applicant allegedly has committed is affecting the society at large.

5. Heard arguments and perused the record.

6. There is no independent witness to the incident. Entire property has not been subjected to chemical examination. The offence alleged against the applicant is not falling within prohibitory clause. The case has finally been challaned. There is

no apprehension of tampering with the evidence on the part of applicant and he is said to be in custody for more than one month without effective progress in trial. In these circumstances a case for release of the applicant on bail on point of further enquiry obviously is made out.

7. In view of above, the applicant is admitted to bail subject to furnishing surety in the sum Rs.100,000/- and PR bond in the like amount, to the satisfaction of the learned trial Court.

8. The instant bail application is disposed of accordingly.

JUDGE

Muhammad Danish\*