

## **IN THE HIGH COURT OF SINDH AT KARACHI**

### **CR. BAIL APPLICATION NO.399/2021**

Applicant : Abdul Rauf,  
through Mr. Ubaidullah Malik, advocate.

Respondent : The state,  
through Mr. Faheem Hussain Panhwar, DPG.

Date of hearing : 05.05.2021

Date of order : 05.05.2021

### **ORDER**

**SALAHUDDIN PANHWAR, J.** Precisely relevant facts of the case are that on 03.02.2021 at about 09.30 a.m at Ibrahim Shah Mazar near Soomar Kundani Goth, Memon Goth Malir, Karachi, a police party headed by SI Jamaluddin of P.S Memon Goth, apprehended the accused/applicant on spy information and on personal search of applicant, 1530 gram of chars was recovered in presence of mashirs; on further personal search one ATM card and cash of Rs.400/- were also recovered hence FIR was registered under section 6/9-C CNS Act 1997.

2. Learned counsel for applicant contended that applicant has been falsely implicated; that no private witness has been associated despite place of incident is thickly populated area; that applicant was stopped on 02.02.2021 by the police party at Memon Goth near main Bazar when he was going to his house on his motorcycle and demanded illegal amount; on refusal booked him in

false case; that nothing was recovered from the possession of applicant and alleged recovery is foisted upon him.

3. Learned DPG opposed grant of bail application on the ground that a huge quantity of 1530 Grams chars was recovered from applicant; that police officials are competent witnesses; no enmity was claimed by applicant with police.

4. It is alleged that present applicant was apprehended and 1530 grams of chars was recovered, except this case applicant is not involved in any other case. Besides, learned counsel for applicant has emphasized that applicant is an employee of a private company having salary of Rs.18,725/- per month, he has produced applicant's service card alongwith pay slips. Arrest of applicant is on a tip-off that one person is selling chars within the jurisdiction of Memon Goth police station, police failed to join any independent witness hence applicant's case requires further probe. Therefore, vide short order dated 05.05.2021 he was admitted to post arrest bail, these are reason of that order.

**J U D G E**

IK