

IN THE HIGH COURT OF SINDH AT KARACHI

CR. BAIL APPLICATION NO.808/2021

Applicants : Hikmatullah and Muhammad Naseem,
through Mr. Malag Assa Dashti, advocate.

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

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CR. BAIL APPLICATION NO.809/2021

Applicants : Nizamuddin and Saadullah,
through Mr. Malag Assa Dashti, advocate.

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

Date of hearing : 23.06.2021

Date of order : 23.06.2021

ORDER

SALAHUDDIN PANHWAR, J. Precisely facts of the case are that applicants in Cr. B.A. No.808/2021 were arrested in FIR No.170/2021 by officials of PS Bin Qasim from near Afghani Masjid Naseerabaad with recovery of 4 KG chars from each of them. Whereas applicants in Cr. B.A. No.809/2021 were taken into custody by PS Steel Town when recovery of 4240 grams of chars was recovered from applicant Nizamuddin and 4200 grams from applicant Saadullah.

2. Heard learned counsel for the parties, perused the record.

3. It is a matter of record that vehicles of applicants were apprehended by PS Memon Goth wherein a tracker was installed

which report reflected presence of vehicles at PS Memon Goth hence relatives of applicants filed application under section 491 CrPC with regard to illegal detention of applicants. Accordingly, concerned Magistrate raided the police station however failed to find the detention of applicants though vehicles of applicants were available there. Applicants were shown as arrested by another police station with recovery of chars. CDR and other material placed on record by applicants which create smoke on the screen when admittedly vehicles were available at PS Memon Goth and applicants were shown arrested by a different police station immediately after the raid conducted by the Magistrate, thus this is a case of further probe. Applicants were admitted to post arrest bail by short order dated 23.06.2021; these are the reasons.

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