

ORDER SHEET

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

Cr. Bail Appln. No. S — 532 of 2023

DATE

ORDER WITH SIGNATURE OF JUDGE

12.06.2023.

FOR HEARING OF MAIN CASE.

Mr. Ahmed Nawaz Chang Advocate for applicant.
Mr. Siraj Ahmed Bijarani Asstt. P.G. for the State.

Through this bail application, applicant Ghulam Mustafa seeks post arrest bail in Crime No.81 of 2023, registered at P.S Talhar for offence u/s 8 of Sindh Prohibition of Preparation Manufacturing, Storage, Sale and Use of Gutka & Mainpuri Act, 2019.

Heard arguments and perused the record.

Admittedly, the maximum punishment, provided by the Statue for the offences with which the applicant stands charged is three years, hence same do not fall within the prohibitory clause of Section 497 Cr.P.C. Whereas as regard the vicarious liability of the commission of offence, it would be decided by the trial Court after recording of evidence. At this juncture, prima facie case of further inquiry makes out within the meaning of Sub-Section 2 to Section 497 Cr.P.C. Accordingly, instant Criminal Bail Application is hereby allowed. The Applicant shall be released on bail subject to his furnishing solvent surety in the sum of Rs.50,000/- (Rupees Fifty Thousand) and P.R Bond in the like amount to the satisfaction of the trial Court.

It need not to iterate that the observation made hereinabove is tentative in nature and shall not prejudice the case of either party during trial. However, the learned trial Court may proceed against the applicant, if he will be found misusing the concession of bail.

This Criminal Bail Application is disposed of in the manner indicated above.

JUDGE
