

# IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Crl. Bail Application No.S- 573 of 2023  
(*Muhammad Farooq Umrani v. The State*)

Mr. Rukhsar Ahmed M. Junejo, Advocate for the applicant.  
Mr. Aftab Ahmed Shar, Additional P.G for the State a/w complainant.

Date of Hearing & Order: **30-10-2023**

## ORDER

**MUHAMMAD IQBAL KALHORO, J.:** Applicant was arrested, on 18.06.2023 by a police party of P.S, Kumb, headed ASI Suhbat Ali during patrolling, while riding a motorcycle at a link road leading towards Chodaho near Ali Bahar Wah and from him 11000 grams of hemp/bhang lying in a plastic bag was recovered. He was accordingly arrested and booked in the present case.

2. Learned counsel in defence submits that punishment provided for the alleged offence is seven years, which does not fall within the prohibitory clause of Section 497 (1) CrPC; the case has been challaned and applicant is no more required for further investigation. More so, applicant is the first offender and there is no criminal history of applicant. He has relied upon unreported orders dated 22.09.2023 and 11.08.2023, passed by this Court in Crl. Bail Applications No.S-577 of 2023 and 392 of 2023 respectively.

3. His arguments have been opposed by learned Additional P.G for the State. However, on the grounds that the case does not fall within the prohibitory clause of Section 497(1) CrPC and in the identical cases, this Court has already granted bail to other accused from whom same quantity of hemp was recovered and the fact that the applicant is first offender plus the case has been challaned and he is no more required

for further investigation, this bail application is **allowed** and the applicant is admitted to post-arrest bail subject to his furnishing solvent surety in the sum of **Rs.100,000/- (One Lac)** with P.R bond in the like amount to the satisfaction of the trial Court.

**4.** The observations made hereinabove are tentative in nature and shall not influence the trial Court while deciding the case on merits.

**JUDGE**

Ahmad