

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Crl. Bail Appln. No. S – 874 of 2023

Date	Order with signature of Judge
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For Hearing of Bail Application.

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05-01-2024.

Mr.Athar Iqbal Shaikh Advocate for
Applicant.

Mr.Imran Mobeen Khan Assistant P.G.

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ORDER.

ZULIFQUAR ALI SANGI, J- Through this application applicant Feroz Ali Mirani seeks Post Arrest Bail in Crime No. 407 of 2023 Police Station, Shaheed Mir Murtaza, District Khairpur registered for offence under Section 9(b) CNS Act, 1997.

2. Prior to this, an application for grant of post-arrest bail on behalf of the present applicant, was moved, which was dismissed by the Court of learned Additional Sessions Judge-I/(MCTC), Special Judge for (CNS), Khairpur vide order dated 21.11.2023. Now, the applicant has therefore, approached this Court with the same prayer.

3. Succinctly, the facts of the case are that on 10.11.2023 at 1700 hours the applicant coming in Rickshaw was apprehended by the police and from his possession 9000 Grams hemp lying in a white color Bachka, was recovered.

4. Learned counsel for the applicant contended that the applicant has falsely been involved by the police in fact nothing has been recovered from the possession of applicant

with which he is charged but the same has been foisted upon him with malafide intention and ulterior motive. He prayed for grant of bail.

5. On the other hand, the learned Assistant P.G has vehemently opposed the bail application. According to him, a huge quantity of narcotic has been recovered from the possession of applicant.

6. I have heard the arguments of the learned counsel for the applicant and learned Assistant Prosecutor General appearing on behalf of the State and also perused the police papers.

7. Since a huge quantity of 9000 Grams hemp has been recovered by the police from the possession of applicant for which no malafides on the part of police are shown to have been alleged to foist a huge quantity of hemp upon him, which after new amendment is a part of CNS Act, 1997, under such circumstances, the applicant is not entitled for concession of bail. In these circumstances, the application filed by him (Cr1.Bail Application No. S – 874 of 2023) is hereby dismissed. However, the learned trial Court is directed to decide the case within a period of 02 months positively.

The bail application stands disposed of in the above terms.

JUDGE

