

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Crl. Bail Application No.S- 08 of 2024
(*Shahid Ali v. The State*)

Ms. Sumbal Urooj Mughal, Advocate for applicant.
Mr. Muhammad Farooq Ali Jatoy, Special Prosecutor, ANF, Sukkur.

Date of Hearing & Order: **12-02-2024**

ORDER

MUHAMMAD IQBAL KALHORO, J.: Applicant was arrested by Anti-Narcotics Force, Sukkur on 13.12.2023 from near City Point National Highway, Sukkur on spy information and from his personal search, 450 grams of Charas was recovered. Hence, he was arrested and present FIR was registered against him.

2. Learned defence counsel has pleaded for bail on the ground that offence does not fall within prohibitory clause of section 497(1) CrPC and although applicant has criminal history but he has been acquitted in all the cases except one bearing crime No.77 of 2023 of P.S, Mehrabpur under section ¾ PEHO.

3. Learned Special Prosecutor, ANF Sukkur has opposed bail on the ground that applicant is a habitual offender.

4. As pointed out by learned defence counsel, applicant has been acquitted in all the cases except the one. The punishment for recovery of 450 grams of Charas is only five years and does not fall within prohibitory clause. More so, the case has been challaned and applicant is no more required for further investigation. The prosecution witnesses are officials of ANF; hence there is no likelihood of evidence being tampered with by him.

5. In view of above, this Crl. Bail Application is **allowed** and the applicant is admitted to post-arrest bail subject to his furnishing a solvent surety in the sum of **Rs.50,000/- (Fifty Thousand)** with P.R bond in the like amount to the satisfaction of the trial Court. The observations made hereinabove are tentative in nature and shall not influence the trial Court while deciding the case on merits.

JUDGE

Ahmad