

ORDER SHEET

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Crl. Bail Application No. S-79 of 2024

(Muhammad Hanif and another Vs. The State)

For hearing of Bail Application

20-02-2024.

Mr. Achar Khan Gabole, advocate for the applicants.
Syed Sardar Ali Shah Rizvi, Additional P.G for the State.

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Irshad Ali Shah J:- It is alleged that the applicants were found transporting 938 kilograms of Gutka through their car, a substance injurious to human lives, for that he was booked and reported upon by the police.

2. The applicants on having been refused bail by learned Ist Judicial Magistrate Ubauro and Additional Sessions Judge/(MCTC) Ubauro, have sought for the same from this Court by way of instant Bail Application u/s 497 Cr.P.C.

3. Heard arguments and perused the record.

4. There is no independent witness to the incident; only 14 kilograms of injurious substance has been subjected to Chemical Examination, that too with delay of seven days to its recovery; therefore the liability of the applicants would be to that extent. The offence alleged against the applicants is not falling within prohibitory clause of section 497 (2) Cr.P.C. The case has finally been challaned and there is no apprehension of absconsion or tempering with the evidence on the part of the applicants. In these circumstances a case for release of the applicants on bail on point of further enquiry obviously is made out.

5. In view of above, the applicants are admitted to bail subject to their furnishing solvent surety in sum Rs.50,000/- each and PR bond in the like amount, to the satisfaction of the learned trial Court.

6. The instant bail application is disposed of accordingly.

JUDGE

