

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

Criminal Bail Application No.S-1245 of 2024

Applicant : Akhtar Ali Chandio through Mr. Imtiaz Ali Abbasi,
Advocate.

Respondent : The State through Mr. Irfan Ali Talpur A.P.G. Sindh
along with I.O. SIP Muhammad Ali Ansari.

Date of hearing : 02.12.2024.

Date of Order : 02.12.2024.

ORDER.

Amjad Ali Sahito, J:- Through instant bail application, the applicant/accused namely, Askhtar Ali Chandio seeks pre-arrest bail in Crime No.77/2024, registered at Police Station Dehi, District Badin for the offence under section 9-C of CNS Act. Earlier the bail plea of the applicant/accused was declined by the learned Sessions Judge/Special Court for Anti Narcotics, Badin vide order dated 12.11.2024.

2. The details of the FIR are included in the bail application and its attached copy, so there is no need to restate them here.

3. Allegation against the applicant/accused is that while seeing police party, he ran away from the place of incident. However, he has thrown 1018 grams of charas. When it was confronted from learned A.P.G. Sindh as to how many police personnel were at the time of incident to which he disclosed that there were six policemen. Even then while throwing charas the accused succeeded to run away from the place of incident. Further, it is yet to be determined before the learned trial Court after recording prosecution evidence as to whether the case property viz. charas was thrown by the applicant/accused or not. At the bail stage, only a tentative assessment is made.

4. In view of the above facts and circumstances, learned counsel for the applicant/accused has succeeded to make out the case for further inquiry as envisaged in subsection 2 of section 497 Cr.P.C. Consequently, instant criminal bail application is **allowed** and the interim pre-arrest bail granted earlier vide order dated 18.11.2024 is hereby confirmed on the same terms and conditions.

5. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the learned trial Court while deciding the case of the applicant on merits.

JUDGE