

ORDER SHEET
THE HIGH COURT OF SINDH AT KARACHI

Cr. Bail Appln No.2103 of 2022.

Date: Order with signature(s) of the Judge(s)

1. For Orders of Office Objection as at 'A'.
2. For Hearing of Bail Application.

22nd November, 2022.

Mr. Shamsheer Abbas advocate for the applicant.
Mr. Zahoor Shah, Addl. P. G. Sindh a/w ASI-Saleem Akthar of CRO Branch.

Through instant bail application, applicant Mst. Abida W/o. Nabeel seeks post arrest bail in Crime No. 425 of 2022, under Sections 6/9(c), CNSA 1997, registered at P.S. Mochko.

2. It is alleged that applicant was apprehended alongwith her husband while she was transporting narcotics substance i.e. charas of 2500 grams. Applicant and her husband and rickshaw driver they all were arrested in separate recovery and separate FIRs were registered. Applicant is admittedly having suckling baby aged about nine months. Learned counsel for the Applicant has relied upon the case law reported in 2017 MLD 1367 [Peshawar] [Mst. Javeria Vs. The State] wherein bail has been granted on the plea that accused was having her 1½ years old suckling baby/daughter in her lap inside the jail and similarly in the case of Mst. Nusrat reported in 1996 SCMR 973 [Supreme Court of Pakistan] bail was granted on the same ground wherein concept of welfare of minor was emphasized.

3. Under these circumstances, applicant being lady and having suckling baby is hereby admitted to post arrest bail subject to furnishing solvent surety in the sum of Rs.50,000/- [Rupees Fifty Thousand Only] and PR bond in the like amount to the satisfaction of the learned trial court.

4. Observations made hereinabove are tentative in nature and shall not influence the trial court while deciding the case on merits.

JUDGE