

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

Criminal Bail Application No.S-289 of 2025

Applicant: Sono Khan Son of Hussain Bux Piraro through Mr. Ashique Hussain D. Solangi, Advocate.

Respondent: The State through Ms. Safa Hisbani, A.P.G.

Date of hearing: 28.03.2025

Date of order: 28.03.2025

## ORDER

**Syed Fiaz ul Hassan Shah, J:** Through instant bail application, above named applicant seeks his admission to post arrest bail in Crime No.43 of 2025 registered under section(s) 9-C CNS Act 1997 Amendment Act 2022, with P.S Sehwan. After the arrest applicant preferred his bail plea before the Court of Additional Sessions Judge-I, Kotri, vide Criminal Bail Application No.246 of 2025 (Re-Sono Khan Vs. The State) and same was dismissed vide impugned order dated 18.03.2025; hence, instant bail application has been maintained.

2. Since the facts of prosecution case are already mentioned in F.I.R as well as impugned order passed by the Additional Sessions Judge-I, Kotri, therefore, there is no need to reproduce the same.

3. The learned counsel states that applicant has been falsely implicated in the case by the police by foisting recovery of Chars weighing 1300 grams.

4. On the other hand, the learned APG has strongly opposed bail application and stated that the punishment falls nine to fourteen years and the applicant is habitual offence as is reflected from his CRO.

5. I have heard the learned counsel for parties and perused the record.

6. It is settled law that for deciding bail application, the lesser punishment can be considered by the Court. In view of the above, the lesser punishment is nine years which does not falls within the prohibitory clause wherein grant of bail by the Superior Courts is rule and its refusal is an exception. It is not case of the prosecution that applicant if released on bail will temper or destroy the evidence or any apprehension to threat the prosecutions' witnesses. In view of the above, the learned counsel for the applicant has made out a case for grant of bail, therefore, the bail application is **allowed**. Consequently, the applicant is granted concession of post arrest bail subject to furnishing his solvent surety in sum of Rs.100,000/- and P.R bond in the like amount, to the satisfaction of Trial Court.

7. Needless to say that any finding given or the observations recorded herein-above, it is only for the purpose of deciding this bail application, which will not affect the merits of case before the Trial Court in any manner and the Trial Court will try the case without being influenced from any observation.

**J U D G E**

Muhammad Danish