

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

Criminal Bail Application No.S- 590 of 2026

Applicants : Muhammad Bux and Munawar Ali through
Mr. Altaf Hussain Chandio, Advocate

Respondent : The State, through Mr. Altaf Hussain
Khokhar, Deputy Prosecutor General, Sindh.

Date of hearing : **30.07.2026**

Date of Order : **30.07.2026**

ORDER

ABDUL MOBEEN LAKHO, J.- Through instant bail application, the applicants/accused named above seek post-arrest bail in Crime No.114 of 2026, registered at P.S. Hatri, Hyderabad under Section 8 of the Sindh Prohibition of Preparation, Manufacturing, Storage, Sale and Use of Gutka and Mainpuri Act 2019, after their bail plea was declined by the learned Sessions Judge, Hyderabad vide order dated 30.04.2026.

2. The details and particulars of the F.I.R. are already available in the bail application and F.I.R., same could be gathered from the copy of F.I.R. attached with such application, hence needs not to reproduce the same hereunder.

3. Per learned counsel, the applicants are innocent and have falsely been implicated in this case; that applicants are behind the bars since their arrest in this case and they are no more required for further investigation; that the alleged offence does not fall within the prohibitory clause of section 497(i) Cr.P.C. He lastly prayed for grant of bail to the applicants/accused.

4. On the other hand, learned D.P.G vehemently opposed the grant of bail to applicants.

5. I have heard learned counsel for the applicants as well as Deputy Prosecutor General, Sindh and gone through the record available.

6. No doubt the offence in which applicants are charged does not fall within the prohibitory clause of section 497(i) Cr.P.C and in such cases grant of bail is a right and refusal is an exception. Learned D.P.G failed to point out any exceptional circumstance to refuse the bail to applicants. The complainant and the witnesses in this case are police officials hence there is no question of tampering with the evidence. Even otherwise, the applicant Munawar Ali is of very young age of 18 years and the chemical report has still not been received. The applicants/accused are the first offenders and per learned D.P.G there is no previous criminal record of the applicants/accused. Further, the applicants are in jail since their arrest and no more required for investigation, therefore, no purpose will be served to keep them in jail for an indefinite period.

7. In view of above, the case of the applicants falls within the ambit of sub-section (2) to Section 497 Cr.P.C, therefore, the instant bail application is allowed and the applicants are admitted to post-arrest bail subject to their furnishing solvent surety in the sum of Rs.50,000/- (Rupees fifty thousand) each and P.R Bonds in the like amount to the satisfaction of learned trial Court.

8. 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 applicants on merits.

JUDGE

Tufail