

IN THE HIGH COURT OF SINDH AT KARACHI

Cr. Bail Application No.2261 of 2025

Present:
Mr. Justice Muhammad Iqbal Kalhoro
Mr. Justice Syed Fiaz-ul-Hassan Shah

[Ali Hussain Vs. The State]

Date of hearing : 17.11.2025
Date of decision : 17.11.2025
Applicant : Through Mr. Shah Imroze Khan, Advocate
The State : Through Mr. Musharaf Azhar, Spl.
Prosecutor, ANF.

ORDER

Muhammad Iqbal Kalhoro, J: On 02.02.2023, Applicant-Muhammad Bilal Nawaz was arrested by ANF police while traveling from Manghopir Road Karachi in a rikshaw along with co-accused Syed Azeem Shah. From search of rikshaw 18 kilograms of chars in two packets was recovered. They were arrested accordingly and booked in FIR No.04/2023, P.S. Gulshan-e-Iqbal, Karachi under Sections 6/9 (i) 3 (e), 14 & 15CNS Act, 1997. Investigation started in which allegedly co-accused disclosed that he started supplying narcotics at the instance of Shabir alias Bhola, who had threatened him that as and when you are arrested, implicate applicant in the case and only then he would take care of his family. At such statement, the applicant has been made accused in this case.

2. Learned Spl. Prosecutor, ANF submits that the applicant is a renowned narcotics dealer and he was already arrested in another case. Defense counsel has submitted that applicant has been acquitted in that case and at the time of incident, he was in jail. Except making a bald statement as above, learned Spl. Prosecutor, ANF has failed to provide any record that the applicant is a renowned narcotics dealer or a smuggler. When we asked to show us any proof, he replied that he may be given some time to call for a report from the office, which shows that his above statement is not based on any documents. Even otherwise, involvement of an accused on the basis of a statement of co-accused is considered to be a weak piece of evidence, which always requires further inquiry. We, therefore allow this application, grant bail to the applicant subject to furnishing a solvent surety

amounting to Rs.500,000/- and P.R. bond in the like amount to the satisfaction of the trial Court.

3. The bail application is disposed of in the above terms. The observations made hereinabove are tentative in nature and would not prejudice case of either party at trial.

JUDGE

JUDGE

M. Khan