

IN THE HIGH COURT OF SINDH CIRCUIT COURT MIRPURKHAS

Crl. Bail Application No.D-22 of 2025

Present:

**Mr. Justice Miran Muhammad Shah,
Mr. Justice Muhammad Hasan (Akber).**

Applicant: Zubair Ahmed S/o Allah Bux,
Through Mr. Shahroz Ali Mahar, Advocate.

Respondent: The State.
Through Mr. Ghulam Abbas Dalwani, D.P.G.

Date of hearing: 27.01.2026

Date of Order: 27.01.2026

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O R D E R

Miran Muhammad Shah, J.:- Through this Bail Application, the applicant/accused seeks post-arrest bail in FIR No.10/2025 registered under Section 9(i), 3-C (SCNS Act, 2024) of PS Excise and Narcotics Circle, Digri, after dismissal of his bail plea by the learned Sessions/Special Judge, CNSA, Mirpurkhas vide order dated 21.10.2025.

2. The details and particulars of the F.I.R are already available in the bail application, as such; need not to reproduce the same hereunder.

3. Learned counsel for the applicant submits that no video recording is present and no provision of Section 103 Cr.P.C. has been applied; that no private mashirs have been associated with the alleged offence; that it was late hours when the applicant was present on the road and was apprehended by the police with the alleged narcotics and that the applicant has been falsely implicated in this case by the police authorities.

4. On the other hand, learned D.P.G for the state states that there is huge quantity of 1565 grams of charas was recovered from the possession of the applicant and the imprisonment is 14 years which falls within the ambit of prohibitory clause of section 497 Cr.P.C and the bail cannot be granted with such huge quaintly quantity; however, he admits that there is no criminal record of the applicant.

5. We have heard learned counsel for the applicant, learned D.P.G for the State and perused the material available on the record.

6. The provisions of Section 103 Cr.P.C are no more required and are not mandatory in narcotics cases and police officials are stated to be acceptable witnesses and there is recovery of a huge quantity of charas; however, the C.R.O shows that the present applicant/accused is a first offender. Learned counsel for the applicant has informed that the charge has already been framed and the trial is to commence soon; however, due to some administrative issues, the matter is not proceeding. In such circumstances, we are not inclined to grant bail, which is accordingly **dismissed**. However, the learned trial court is directed to proceed with the trial expeditiously after examining two or three important police officials as witnesses and conclude the trial within two months.

7. The observations made here-in-above are tentative in nature and would not prejudice the case of either party at the trial.

JUDGE

JUDGE