

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA

Present:

Mr. Justice Adnan Iqbal Chaudhry
Mr. Justice Abdul Hamid Bhurgri

Criminal Bail Application No. D-123 of 2025
Criminal Bail Application No. D-124 of 2025

Applicant : Shah Nawaz son of Amir Bux Qambrani,
through Mr. Muhammad Afzal Jagirani,
Advocate
in Criminal Bail Application No.D-123 of 2025

Applicant : Nawaz Ali son of Ilyas Qambrani, through
Mr. Muhammad Afzal Jagirani, Advocate
in Criminal Bail Application No.D-124 of 2025

Respondent : The State
Through Mr. Nazeer Ahmed Bhangwar,
: Deputy Prosecutor General, Sindh.

Date of Hearing : 11.02.2026

Date of Order : 11.02.2026

Crime No. 294/2025
u/s 9(1)(3)(b), Sindh CNS Act, 2024
P.S. A/Section, Kandhkot

Crime No. 295/2025
u/s 9(1)(3)(b), Sindh CNS Act, 2024
P.S. A/Section, Kandhkot

ORDER

Adnan Iqbal Chaudhry J. - The Applicants seek post-arrest bail respectively in the aforesaid crime after the same has been declined by the Sessions Judge Kashmore at Kandhkot by separate orders dated 12.11.2025.

2. It is strange that though the Applicants were arrested upon the same incident, yet separate FIRs were lodged against them narrating the same facts.

3. It is alleged that whilst on patrol at 20:00 hours on 09.10.2025, the police party saw the Applicants on foot on a public road, each carrying a black shopper, who tried to flee upon seeing the police mobile; that the Applicants were apprehended after a short chase; that a search of the shopper carried by each Applicant revealed pieces of charas, weighed at 980 grams each; that the charas was sealed at the spot for lab test and the

Applicants were arrested for the crime punishable under section 9(1), Sr. No.3(b) of the Sindh Control of Narcotic Substances Act, 2024, as amended by Sindh Act No. XVII of 2025.

4. Heard learned counsel and perused the record.

5. Though the charas had been seized on 09.10.2025, the chemical report in both cases reflects that the charas was received by the lab on 14.10.2025 under cover of memo dated 13.10.2025. The prosecution does not explain the delay in dispatching the narcotic for lab test, which then leads to a doubt of its safe custody during the intervening period.

6. As per the FIRs, the charas seized from each Applicant had weighed 980 grams. Though the nature of wrapping around the pieces (excluding the shopper) was not mentioned, it is presumable that those pieces were weighed with the wrapping to mention the gross weight. On the other hand, as per the chemical reports, the gross weight of charas received in the case of Shah Nawaz was 993 grams, and in the case of Nawaz Ali, the gross weight was 995 grams. The prosecution has yet to explain the increased weight.

7. The aforesaid facts lend support to the Applicants' version that the charas was foisted upon them when they refused to oblige the police. Admittedly, the Applicants do not have a criminal record.

8. In view of the foregoing, the case against the Applicants is of further inquiry into their guilt, falling within the ambit of sub-section (2) of section 35 of the Sindh Control of Narcotic Substances Act, 2024, as amended by Sindh Act No. XVII of 2025. Therefore, the Applicant Shah Nawaz in Crime No. 294/2025, and the Applicant Nawaz Ali in Crime No. 295/2025, are granted bail subject to furnishing solvent surety in the sum of Rs. 50,000/- [Rupees Fifty Thousand] each and P.R bond in like amount to the satisfaction of the trial court.

9. Needless to state that the observations herein are tentative and should not be construed to prejudice the case of either side at trial.

Office shall place a copy of this order in the connected bail application.

Judge

Judge