

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.
Cr. Bail Appl.No.930 of 2026
Cr. Bail Appl.No.1496 of 2026

Presents:
Mr. Justice Muhammad Iqbal Kalhoro
Mr. Justice Miran Muhammad Shah

21.05.2026

Mr. Shaukat Hayat advocate for the applicant a/w Mrs. Amna Magsi advocate in Cr. B.A.No.930 of 2026.

Raja Babar Hamid advocate for the applicant a/w Mr. Tanveer Hussain advocate in Cr. B.A.No.1496 of 2026.

Mr. Musharraf Azhar, Special Prosecutor ANF a/w Ameen Sub-Inspector.

ORDER

MUHAMMAD IQBAL KALHORO I:- On 09.02.2026 ANF during a combing operation at Port Qasim held up a suspicious Container, which on checking was found containing tramadol (200 mg) tablets 380 k.g., Rivotril (02 mg) tablets 2.5 k.g. and Valium (10 mg) 8.300 k.g. tablets. Total weight of them was 390 k.g., in which 10 k.g. psychotropic substance, mentioned in the schedule of CNS Act, as per chemical report, was found.

2. On the same date, later on, applicant Raza Ali Shah was found standing near the container along with a clearing agent Tanzeel Muqatadar, who disclosed during investigation that applicant had come from Peshawar to get the consignment cleared from Custom Department. The consignment was bound for export to UAE, hence he was arrested and booked in this case.

3. The applicant Ejaz Ahmed is said to be a Service Provider and allegations against him are that he was in contact with the main accused and was facilitating export of the consignment to UAE and had received money from him, hence he was also booked in this case. He then appeared before the Court in pre-arrest bail application, which was dismissed and he was taken into the custody on 24.04.2026.

4. Applicants' counsel have pleaded for bail on the grounds, inter alia, that the case against the applicants is of further enquiry. The tablets are not prohibited and are sold at every medical store. The applicants are neither exporter nor clearing agents. Their names are not mentioned in Good Declaration form (GD). The advocate for Ejaz Ahmed has stated that the other Service Provider namely Attiya has been assigned similar role but she has been instead made P.W. She was also in contact with the main accused like applicant and was facilitating process of consignment. That he was doing so bonafidely without knowledge of tablets.

5. On the other hand, learned Special Prosecutor ANF and I.O. have opposed bail to applicants stating that they were found in contact with the main accused, the containers were being exported to UAE surreptitiously to sell the tablets in International black market.

6. We have considered submissions of the parties and are of the view that except allegations, against applicant Ejaz Ahmed, that he was in contact with the main accused, prima-facie no evidence connecting him directly with the consignment is available on the record. No one denies that he is a service provider without any criminal history, therefore, unless evidence of his knowledge of tablets and connivance is presented in the Court, his falls implication cannot be ruled out. Prima-facie the role of applicant Ejaz Ahmed and P.W. Attiya appear to be identical in that she was also in contact with the main accused who are still absconders, but she has been made a witness. Therefore, there is no likelihood of conclusion of the trial in near future. The allegations against the applicant Raza Ali Shah is that he was found present along with a clearing agent near the container which had already been held up by ANF. There is only a word that he had come from Peshawar to get the consignment cleared and except that prima-facie no evidence has been brought on record in this regard. The investigation is already over and applicants are no more required for further enquiry. Hence, we are of the view that the applicant have earned a right to grant of post arrest bail. Both the bail applications are allowed and both the applicant are granted bail subject to their furnishing a solvent surety separately in the sum of Rs.500,000/- each and P.R. bond in the same amount to the satisfaction of the trial court.

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

8. Both the Cr. Bail Applications are disposed of.

JUDGE

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