

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

Ist. CrI. Bail Appln. No.D-122 of 2025.

DATE OF HEARING	ORDER WITH SIGNATURE OF HON'BLE JUDGE
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1. For orders on office objection 'A'.
2. For hearing of bail application.

Present :

Justice Riazat Ali Sahar

Justice Ali Haider 'Ada'

24.06.2026

Mr. Kamran Ahmed Gorar, advocate for the applicant along with applicant (on bail).

Mr. Aitbar Ali Bullo, D.P.G.

ORDER

RIAZAT ALI SAHAR, J- Through this bail application, applicant Nawab Khan @ Dado son of Qurban Sehool seeks pre-arrest bail in Crime No.289/2025 registered at Police Station Kamber City, District Kamber-Shahdadkot, for offence punishable under Section 9(1)(1)(d) of the Sindh Control of Narcotic Substances Act, 2024.

2. Brief facts of the case, as narrated in the FIR, are that on 24.08.2025, Inspector Ghulam Mustafa Khoso lodged a report on behalf of the State, alleging therein that on the said date, he along with his subordinates left the police station for patrolling duty. During patrolling, they received spy information that narcotics seller Nawab @ Dado Sehool along with his brother Wajid was transporting Bhang and wine in huge quantity. On such information, the police party proceeded towards the pointed place, where they allegedly saw two persons standing with Bhang and wine. They were identified as Nawab @ Dado and Wajid; according to the FIR, Nawab @ Dado was standing over the bags of Bhang whereas Wajid was standing near the wine. On seeing the police party, both persons allegedly escaped into nearby houses. Thereafter, the police recovered 24 bags of Bhang, each weighing 10 kilograms. Out of the recovered quantity, 2 kilograms were separated as samples and the remaining contraband was sealed separately. The police also recovered 39 bottles of red wine, 37 quarters of red wine, and 62 bottles of white wine, out of which samples were separately sealed. The complainant prepared the mashirnama at the spot in

presence of official mashirs and thereafter brought the case property to the police station, where the FIR was registered.

3. Learned counsel for the applicant contends that the applicant is innocent and has falsely been implicated in the instant case due to mala fide intention and ulterior motives of the police. It is argued that, as per the contents of the FIR, no alleged narcotic substance was recovered from the physical possession of the applicant, nor was he arrested at the spot. It is further argued that the alleged recovery has been foisted upon the applicant merely to show police efficiency. Learned counsel submits that despite the alleged recovery from a thickly populated area, no private person has been cited as witness or mashir. Hence, the applicant is entitled to the concession of pre-arrest bail.

4. Conversely, learned Deputy Prosecutor General opposed the grant of pre-arrest bail on the ground that the applicant is nominated in the FIR and a huge quantity of Bhang was recovered. He submits that the applicant escaped from the place of occurrence and, therefore, he is not entitled to the extraordinary relief of pre-arrest bail.

5. Heard learned counsel for the parties and perused the available record.

6. It is an admitted position that the applicant has been enjoying the concession of pre-arrest bail without any misuse. Tentatively, it appears from the record that the alleged recovery of narcotic contraband was effected from a cattle pond allegedly belonging to the applicant, whereas the applicant was not present at the time of alleged recovery. However, no documentary proof regarding ownership or possession of the said premises has been collected or produced by the Investigating Officer or complainant to connect the applicant with the alleged place of recovery.

7. In the absence of such material, the possibility of false implication and mala fide on the part of the Investigating Officer cannot be ruled out at this stage. The matter requires further inquiry within the meaning of Section 497(2), Cr.P.C.

8. Accordingly, the interim pre-arrest bail already granted to the applicant vide order dated 18.11.2025 is hereby confirmed. These are the reasons in support thereof.

Judge

Judge

M.Y.Panhwar/**