

IN THE HIGH COURT OF SINDH, KARACHI
Cr. Bail Application No.2125 of 2026

Present:
Mr. Justice Muhammad Iqbal Kalhoro
Mr. Justice Khalid Hussain Shahani

Applicant:- Syed Fahad Ali Tirmizi through Mr. Mamoon
A.K. Shirwany, advocate.

Respondent:- The State through Mr. Musharraf Azhar,
Special Prosecutor, ANF.

Mr. Irshad Ali, Assistant Attorney General.

Date of hearing:- 19.08.2026

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MUHAMMAD IQBAL KALHORO J: On 17.08.2025, a suspicious shipment booked for Auckland, New Zealand by DHL at Jinnah International Airport was spotted. The information of which was communicated by the courier service to ANF which arrived at the spot and examined the shipment. The ANF found in it leather jackets containing Ice weighing 02 Kgs. The case was registered (Crime No.37/2025 u/s 7A (2) 6, 14, 15 CNS Act, 1997) and investigation started in which one Adeel Anjum was identified to be the culprit. He was arrested and on his information applicant Syed Fahad Ali Tirmizi was identified to be his associate and arrested.

2. In interrogation, applicant Syed Fahad Ali Tirmizi disclosed name of applicants Muhammad Sabir and Altamas Khan; hence they were also arraigned as accused in the case. Subsequently, applicant Muhammad Sabir was arrested from outside of his house along with a bag of leather jackets from which 3.2 Kgs Ice was recovered and hence second FIR (Crime No.40/2025 u/s 7, 9(2) 6, 14, 15 CNS Act, 1997) was registered against the accused.

3. Earlier, Bail Application No.2909/2025, filed by the applicant was dismissed vide order dated 09.04.2026 with direction to the trial court to examine the material witnesses within four months.

4. This application has been filed by the applicant's counsel on the ground that directions have not been complied with as only two witnesses, so far, have been examined but they have not even named

the applicant in the case. Further, co-accused namely Adeel Anjum and Altamash have been granted bail; hence, rule of consistency is applicable.

5. Learned Special Prosecutor ANF has opposed bail.

6. We have seen the previous order which indicates that bail of the applicant was dismissed on the ground that *prima facie* there was evidence that his disclosure had led to the arrest of accused Sabir from whom 2.3 Kg of ice was recovered. Today it has been informed that FIR against the recovery of such narcotics does not disclose that the discovery was occasioned by the revelation of the applicant. The best case of the prosecution against the applicant is that he was arrested on disclosure of co-accused Adeel Anjum, who had booked the assignment for New Zealand, to be the person who had assigned him such task. The applicant then informed that this assignment was entrusted to him by Altamash. Now both the accused Adeel Anjum and Altamash have been granted bail.

7. We, therefore, are of the view that not only under rule of consistency, but failure of the trial court to comply with the directions has made the applicant entitled to bail. Hence, we allow the application and grant bail to the applicant subject to furnishing a solvent surety in the sum of Rs.2,00,000/- (Rupees Two Hundred Thousands only) and PR Bond in the like amount to the satisfaction of the Nazir of this Court.

8. The Bail Application is disposed of accordingly. The observations herein above are tentative in nature and shall not affect the case of either party on merits before the trial Court.

JUDGE

HANIF

JUDGE