

IN THE HIGH COURT OF SINDH, KARACHI
Cr. Bail Application No.734 of 2026

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

Applicants:- Muhammad Shaan & another through
Mr. Raham Ali Rind, advocate.

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

Date of hearing:- 27.04.2026

=====

MUHAMMAD IQBAL KALHORO J: Applicants are seeking post arrest bail in Crime No.22/2025, u/s 6/9(1), 3(C), 14, 15 CNS Act, 1997, registered at PS ANF Gulshan-e-Iqbal, Karachi.

2. Applicants were arrested by Anti-Narcotics Force from near Global Academy, Kaneez Fatima Society, Surjani Town, Karachi on 30.05.2025 while traveling in rickshaw and from them respectively 79.200 kilograms and 52.800 kilograms of charas was recovered. Hence, they were booked in the present case.

3. Applicants' counsel has pleaded for bail on the grounds that compliance of Section 17 (2) of the Sindh Control Of Narcotic Substances Act, 2024 has not been done; that there is no CRO/involvement of the applicants in previous case; the owner of rickshaw has not been traced out and no independent person has been cited as witness. He has relied upon **2021 SCMR 324, 2024 SCMR 934, 2025 SCMR 721, 2025 SCMR 1657 and 2026 SCMR 217** to support his contentions.

4. On the other hand, learned DPG has opposed bail stating that a huge quantity of narcotics has been recovered from the applicants.

5. We have considered the grounds pleaded by defence counsel and are of the view *prima facie* there are reasonable grounds to assume that applicants are involved in a case considered to be the case against the society, as huge quantity of narcotics viz. much more than 100 kilograms has been recovered from the applicants. Such recovery is witnessed by the witnesses with whom apparently applicants have got no enmity to

falsely implicate them. The requirement of video recording is necessary under the Sindh Control of Narcotic Substances Act, 2024 and not under CNS Act, 1997 under which the applicants have been booked. But in any case, circumstances behind not recording the video of the incident requires deeper appreciation of evidence which cannot be appreciated at bail stage. It goes without saying that while deciding the bail application, tentative assessment of the record is taken into account. Such exercise would show that huge quantity of charas was recovered from the applicants that is *prima facie* supported not only by oral evidence but also by the documentary evidence such a memo of arrest and recovery etc. Hence, no case for bail is made out. Accordingly, the bail application is dismissed. However, we are hopeful that trial Court would expedite the trial and examine the material witnesses as soon as possible.

The observations herein above are tentative in nature and shall not affect the case of either party on merits before the trial Court.

JUDGE

JUDGE

Hanif