

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Cr. B.A. No.1028 of 2026
(Yousuf Khan vs. The State)

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

For hearing of bail application

Date of hearing

& order **30.04.2026**

Mr. Nisar Ahmed, advocate for applicant

Mr. Ali Haider Salim, Addl: PG Sindh

ORDER

Muhammad Iqbal Kalhoro, J:- Applicant is seeking post arrest bail in a case bearing Crime No.25/2026, registered at Police Station Khokarapar, u/s 9(1) 3 (C) of the Sindh Control of Narcotic Substances Act, 2024, by means of this application.

2. Applicant was arrested by a police team of Police Station Khokarapar on 12.02.2026 from G-Area, KDA Chowk, Khokarapar, Karachi, and from him allegedly 1030 grams of charas was recovered. Hence, he was booked in the present case.

3. Applicant's counsel has pleaded for bail on the ground that although there is a USB but it has not been sent for forensic examination, and a day before his arrest, his brother had moved an application for his illegal detention; and that the applicant has been falsely implicated in this case.

4. On the other hand, learned DPG has opposed grant of bail citing previous criminal record of applicant. However, learned defense counsel submits that in one case the applicant has been granted bail, while in another case he has been acquitted.

5. Be that as it may, learned counsel for the applicant has not placed on record any document substantiating the above position taken by him. Even otherwise, if it is presumed that he was granted bail in a previous case, commission of the present offence would *prima facie* amount to misuse of concession of bail on his part. Further, *prima facie*, there are reasonable grounds to believe that applicant is involved in this case, as the recovery is supported not only by the statements of witnesses recorded u/s 161 Cr.PC, but also by the USB, recording the incident, the forensic examination of which can be raised before the trial Court at the time of evidence, as it requires deeper appreciation of evidence. Import of purported prior application filed by

brother of applicant against his detention cannot be weighed at this stage either as it requires appreciation of entire circumstances behind it.

6. Therefore, no case for bail is made out. Accordingly, this bail application is dismissed. However, learned trial court is directed to expedite the trial and examine the material witnesses within a period of 04 months, after which, in any case, the applicant would be at liberty to repeat application for the same relief, which, if filed, shall be decided on its own merits.

7. Bail application stands disposed of in the above terms. The observations made hereinabove are tentative in nature and would not prejudice case of either party at trial.

JUDGE

JUDGE

Rafiq/PA.