

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
Crl. Bail Application No. 1940 of 2017.

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Date                      Order with signature of Judge  
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For hearing of bail Application.

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19.02.2018

Mr. Aamir Mansoob Qureshi, Advocate for Applicant.  
Mr. Abdullah Rajput, DPG.

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Through instant bail application, applicant seeks post arrest bail in FIR No. 52/2017, under Section 6/9-C, 14-15 of CNSA 1997 registered at P.S. ANF Muhammad Ali Society Korangi, Karachi.

2. Precisely, relevant facts are that on 28.08.2017, on a tip of complainant associated with his staff captured a container having different items including medicine viz tablets Zanex, which is prohibited item and case falls within Psychotropic substances; this shipment was to be exported to UAE by Arif Lahore Traders.

3. As per prosecution case Syed Imran Ali (witness) disclosed that this shipment pertains to applicants whereas, applicants are claiming that they have no nexus with this shipment and prosecution has failed to submit any document showing their involvement in the present crime. Such a plea is not controverted by learned Special Prosecutor ANF that no documentary evidence is available against the applicants.

4. It is settled principle of law that while deciding appeal only tentative assessment is to be made without going into the controversy that whether the case falls within the scope of CNS Act. Admittedly, this is a case of shipment which was to be exported to UAE through Exporter Arif Lahore Traders that appropriately though is arraigned but yet he is absconding. While

deciding the bail application, the Court has to see whether reasonable grounds exist to believe in favour of the accused or not. In the case in hand, it is yet to be determined at the trial whether the applicants are involved in the commission of crime, hence further probe within the meaning of sub-section (2) of Section 497, Cr.P.C. is called for. Accordingly, I allow this application and direct the release of applicants on bail subject to their furnishing surety in the sum of Rs.200,000/- each and P.R. Bonds in the like amount to the satisfaction of the trial Court.

JUDGE

SAJID