

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH KARACHI**

Crl. Bail Application No. 2287 of 2022

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**DATE**

**ORDER WITH SIGNATURE OF JUDGES**

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For hearing of bail application.

**06-02-2023**

Mr. Umer Farooq, Advocate for applicant.

Ms. Abida Parveen Channer, Spl. Prosecutor, ANF.

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**Omar Sial, J:** Mohammad Mobeen has sought post arrest bail in crime number 2 of 2014 registered under sections 6, 9(c), 14 and 15 of the Control of Narcotic Substances Act, 1997 at the ANF police station in Clifton. Earlier, his application seeking bail was dismissed by the learned Special Court (CNS-1) Karachi on 06.09.2022. This is his third bail application in this court, the previous 2 having been dismissed on 09.12.2015 and 19.11.2020.

2. A background to the case is that the applicant is accused of acting as a conduit in an attempt to smuggle 85 kilograms of heroin through a container headed by sea to Malaysia. Learned counsel argued that the only new ground he has at this stage is that in the bail dismissal order dated 19.11.2020, this court had given a 3 month time frame within which to conclude the trial, which directive was not complied with.

3. I have heard the learned counsel for the applicant as well as the learned Special Prosecutor ANF.

4. Learned counsel has not been able to show any precedent in which bail has been granted due to non-compliance of a time frame order of this court. He has also not been able to rely on any statutory law in this regard. An extremely high quantity of heroin has been recovered and it seems that the ANF is in possession of material which establishes a nexus of the applicant with the crime complained of. The learned court of CNS-1 was also lying vacant for a substantially long time due to the Government not

notifying its Presiding Officer. Be that as it may, it still appears that a substantial time has elapsed since the case was filed. The learned trial court shall use its best endeavors to conclude the trial within a period of 6 months.

5. Bail application stands dismissed.

JUDGE