

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

Crl. Bail Application No. 336 of 2023

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**DATE**

**ORDER WITH SIGNATURE OF JUDGES**

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For hearing of bail application.

**20-02-2023**

Mr. Saifullah Rind, Advocate for applicant.

Mr. Muntazir Mehdi, Addl.P.G.

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**Omar Sial, J:** Ismail Khan has sought post arrest bail in crime number 768 of 2022 registered under sections 6 and 9(c) of the CNS Act, 1997 at the Sohrab Goth police station. Earlier his application seeking bail was dismissed by the learned 1<sup>st</sup> Additional Sessions Judge, Malir Karachi on 07.02.2023.

2. A background to the case is that a police party led by S.I. Farhan Sarwar was on patrol duty on 12.07.2022 when it received spy information regarding the presence of drug dealers. The police party reached the identified spot and saw 2 men and 1 woman. The woman threw a bag and ran away. The 2 men were apprehended and identified as Mohammad Dawood and Ismail Khan (the applicant). 967 grams of heroin and 140 grams of opium were recovered from the applicant whereas 523 grams of heroin were recovered from Mohammad Dawood.

3. This is the second bail application filed in this court by the applicant. The earlier bail application (No. 1768 of 2022) was dismissed on 22.09.2022 however directions were given for the conclusion of the trial within 2 months. The only ground urged by the learned counsel is that the learned trial court did not conclude the trial within the 2 months. The learned counsel has failed to put on record any statutory or case law to support his argument that as the time frame given by this court was not complied with would entitle the applicant as of right to be admitted to bail. I have no

doubt in my mind that the learned trial court shall use its best efforts to dispose of the case expeditiously.

4. Above are the reasons for the short order dated 17-2-2023.

JUDGE