

ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI

Crl. Bail Application No. 859 of 2023

DATE

ORDER WITH SIGNATURE OF JUDGES

For hearing of bail application.

11-05-2023

Mr. Atif Azad, Advocate for applicant.

Ms. Robina Qadir, Addl.P.G. a/w Syed Muhammad Abid, I.O.

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Omar Sial, J: Mohammad Ikram was apprehended on 05.04.2023 by a police party led by S.I. Syed Mohammad Abid while he was in possession of 1015 grams of charas. F.I.R. No. 134 of 2023 was registered under sections 6 and 9(c) of the CNS Act, 1997. His application seeking bail was dismissed on 13.04.2023 by the learned 1st Additional Sessions Judge, Karachi Central.

2. I have heard the counsel and the Addl.P.G.

3. It appears that the quantity of charas recovered is at the borderline of section 9(3)(b) and 9(3)(c). If after the total weight minus the wrappings is taken there is a strong possibility that the weight of the recovered charas may fall below the threshold of 1 kilogram. That would mean that the punishment for the alleged offence would fall within the non-prohibitory clause of section 497 Cr.P.C. Keeping in view the type and quantity of narcotics allegedly recovered, I do not find any exceptional or extraordinary grounds, as envisaged in **Tariq Bashir and 5 others vs The State (PLD 1995 SC 34)**, to deny the applicant bail.

4. Above are the reasons for the short order dated 08.05.2023.

JUDGE