

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
**Criminal Bail Application No. 856 of 2024**  
(*Nihal Khan v. The State*)

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Date	Order with signature of Judges
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For hearing of bail application

**20.05.2024**

Mr. Anwer Zaib Khan, advocate for the applicant  
Ms. Abida Parveen Channar, Special Prosecutor ANF  
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It is alleged that on the arrest from the applicant was secured 9.600 kilograms of Charas in the shape of eight packets by a police party of PS ANF Clifton led by Sub Inspector Asad Ali, for which the present case was registered.

The applicant having been refused post-arrest bail by the learned Judge, Special Court-II (CNS), Karachi, has sought the same from this Court by way of instant bail application u/s 497 Cr.P.C.

It is contended by learned counsel for the applicant that the applicant is innocent and has been involved in this case falsely by the Police soon after his arrival at Karachi Airport; he has nothing to do with the recovery of charas and there is no independent witness to the incident, therefore, he is entitled to be released on bail on point of further inquiry, which is opposed by learned Special Prosecutor ANF by contending that the offence alleged against the applicant is affecting the society at large and he is habitual drug peddler.

Heard arguments and perused the record.

The applicant is named in FIR with the specific allegation that on arrest from him has been secured 9.600 kilograms of Charas with a positive report of the Chemical Examiner. In that situation, it would be premature to say that the applicant being innocent has been involved in this case falsely by the Narcotics police by foisting upon him such a huge quantity of contraband substance. Of course, there is no independent witness to the incident for this reason the police officials could not be disbelieved by this Court at this stage when no malafide apparently is found with them to have involved the applicant in this case falsely. No boarding card is produced by the applicant which may suggest that the applicant was arrested by the Narcotics Police soon after his arrival at Karachi Airport. The applicant is having a criminal record. The offence which the applicant alleged to have committed is affecting the society at large. There appear reasonable grounds to believe that the applicant is guilty of the offence, with which he is charged; thus, no case for his release on bail on point of further inquiry is made out.

Consequent to the above discussion, the instant bail application is dismissed.

J U D G E