

IN THE HIGH COURT OF SINDH AT KARACHI

Crl. Bail Application No. 482 of 2024

Applicant : Muhammad Abid Awan
through Mr. Shakeel Ahmed, Advocate

Respondent : The State
through Barrister Mian Haad A.M.
Paggawala, Special Prosecutor ANF

Date of hearing : 16th September, 2024

Date of Order : 8th October, 2024

ORDER

Omar Sial, J: Mohammad Abid Awan (also referred to as Mohammad Abid Yousuf in some documents) has sought post-arrest bail in crime number 39 of 2023 registered under sections 9(2) serial 6, 14, and 15 C.N.S. Act, 1997 at the A.N.F. police station in Korangi. His earlier application seeking bail was dismissed on 15.02.2024 by the Special Court No. 1 (CNS) Karachi.

2. A.N.F. received information on 17.06.2023 that a suspicious parcel booked for Sri Lanka was at the Jinnah Airport. An A.N.F. team reached the courier company's office at the airport, and the suspicious parcel was handed to them. The sender's name on the parcel was Abid Yousuf, whereas the recipient's address was Sri Lanka. When the parcel was checked, 1050 grams of crystal methamphetamine was discovered in it. Later the same day, the courier company called the A.N.F. officers and told them that two persons had come to seek information about the parcel. One was Abid Yousuf, the sender, whereas the other was Syed Basharul Hassan.

3. The learned Special Prosecutor, A.N.F., has explained that the accused's interrogation revealed that a man named Mohammad Ishaq had given Abid Yousuf Rs. 50,000 to book the parcel for delivery to Sri Lanka using his own (Abid's) National Identity Card. The counsel for Abid has not denied that Abid's NIC was used. He failed to give any explanation for it. The thrust of the counsel's entire argument was that because of poverty, Abid had allowed the use of his card. Be that as it may, it appears that the package booked by Abid was booked for delivery in his name, and from that very package, the narcotics were recovered. Poverty is hardly an excuse for the commission of narcotic smuggling. No other evidence or argument was presented to justify the applicant's conduct.

4. Learned counsel has briefly and vaguely referred to the applicant's medical condition as grounds for the bail grant. However, he failed to provide reliable and trustworthy medical certificates to justify his argument. Learned counsel also argued that the applicant should be granted bail on the grounds of consistency, as this court granted Bashar bail. The difference in their roles is that Bashar had accompanied the applicant to the courier company's office to inquire about the package, but the applicant was the one whose name the package was booked. He, therefore, does not qualify for bail on the grounds of consistency.

5. The bail application is dismissed.

JUDGE

