

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

CR. BAIL APPLICATION NO.2371/2022

Date Order with signature of Judge

22.12.2022

Mr. Muhammad Hanif advocate for applicant.
Mr. Zahoor Shah, APG with SI Photomal, PS Maymar.
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SALAHUDDIN PANHWAR, J: Allegedly applicant alongwith another accused was apprehended by a police party of concerned police station, that recovered charas weighing 1020 grams from applicant and from other accused 1015 grams of charas was recovered, hence FIR No.626/2022 under Section 6/9-C of CNS Act, 1997 was lodged at PS Gulshan-e-Maymar, Karachi.

2. Heard and perused the record.

3. It was contended that applicant was implicated falsely as charas allegedly recovered was foisted upon him; that no other criminal case is registered against the applicant as per CRO; that the quantity of allegedly recovered charas falls within the ambit of borderline case, therefore, he is entitled for bail.

4. In contra, learned A.P.G. opposed bail contending that applicant was caught red-handed and from his possession referred narcotic was recovered; no motive was alleged or assigned as to why police would falsely implicate the applicant.

5. Record reflects that the applicant was arrested and allegedly was found in possession of 1020 grams of charas, but nothing has been brought on record to show whether it was gross or net weight of the alleged recovered narcotics. Besides, the applicant



is behind the bars since her arrest i.e. 09.11.2022. It is well settled that mere gravity or heinousness of an alleged offence is not sufficient to keep a person facing trial behind the bars indefinitely. No other case of like nature has been registered against the applicant as is reflected from CRO filed today. Hence applicant is admitted to post arrest bail in the sum of Rs.50,000/- to the satisfaction of the trial court.

6. These tentative findings will not influence the trial on its merits.

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