

Order Sheet

**IN THE HIGH COURT OF SINDH,**  
**CIRCUIT COURT, HYDERABAD**

Cr. Bail Appl. No. S- 52 & 53 of 2025

DATE	ORDER WITH SIGNATURE OF JUDGE
------	-------------------------------

05.03.2025

Mr. Shankar LalMeghwar, Advocate for Applicant / Accused  
Mr. ShahreyarShar Special Prosecutor ANF

**MIRAN MUHAMMAD SHAH, J.-** Through listed Cr. Bail Applications under Section 497 Cr.P.C., applicant Muhammad AmjadLodhi in Cr. B.A. No. S- 52 of 2025 and applicant KashifMeo in Cr. B.A. No. S- 53 of 2025 seek post-arrest bail in Crime No.35 of 2024 registered at police station ANF Hyderabad under Sections 9(i) 3-C CNS Act 1997 &3/4 PEHO 1979.

2. Brief facts of the prosecution case as per FIR registered on 26.9.2024 are that on the same date at about 1340 hours the complainantbeing posted as S.I at Police Station ANF Hyderabad received spy information, proceeded towards the pointed out, reached and started snap checking and during such checking recovered four black colour nylon sacks and two black colour shoppers from the applicants coming on Honda CD-70 Motorcycle having no number plate. The said sacks and black shoppers were opened in presence of witnesses and recovered collectively 02 kg charas and 96 bottles of wine from both the applicants. Such FIR was lodged against the applicants.

3. Learned counsel submits that the applicant has been falsely implicated in this case and nothing has been recovered from him;that the only witnesses in the present case were policemeninspite of the fact that the place of incident was thickly populated area; that the alleged recovery of contraband is foisted upon the applicants. In support of his contention learned Counsel has relied upon the cases of Ismail v. The State (2023 MLD 942), Bilal Khan v. The State (2021 SCMR 460) & Zahid Sarfaraz Gill v. The State (2024 SCMR 934).

4. Learned APG submits that chemical report confirms that the seized substance was narcotic charasand wine. He further states that the applicantswere caught red handed by the police at public place and the case against them is fully established; that the applicants are involved in the

activity which is dangerous to the human life. He lastly prayed for dismissal of this bail application.

5. I have heard learned counsel for the applicant, learned APG and perused the material available on record.

6. It is transpired that a large quantity of narcotics has been recovered from the applicants which is very unlikely to be foisted. This is a case of recovery of two (02) kg of charas and 96 bottles of wine which are duly verified by the chemical examiner. This kind of recovery can only be effected when actually recovered from the person. It is settled law that in narcotic cases association of private mashirs is no longer required. It is also admitted that the applicants/ accused were caught red handed by the police. That carrying of narcotic substance is a heinous offence and against the society at large and when strong grounds are available then lenient view cannot be taken in such matters. In such circumstances, I am of the view that the applicants' counsel has failed to make out a case of bail after arrest at this stage; therefore, the bail is declined. However, since the matter has already been challaned and the case is ripe for hearing, I hereby direct the Trial Court to proceed with the matter at the earliest. The counsel shall be at liberty to move fresh bail application after examination of material witnesses.

Bail declined.

JUDGE