

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Bail Application No.S-390 of 2025

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection
2. For hearing of main case

24.04.2025.

Mr. Abdul Hafeez Daudani advocate for Applicant/Accused.

Mr. Shahid Ahmed Shaikh, Addl. P.G.

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MIRAN MUHAMMAD SHAH, J.- Through this Bail Application, Applicant has sought for post arrest bail in Crime No.38/2025 registered u/s 9(1)3(B) of Sindh Control of Narcotic Substance Act 2024 PS Bukera Sharif, after dismissal of his bail plea by the learned 1st Additional Sessions Judge Tando Allahyar vide Order dated 10.04.2025, hence he approached this Court.

2. Brief facts of the case are that on 27.03.2025 at 2230 hours complainant SIP Mumtaz Ali Abbasi along with his subordinate staff arrested the applicant Shabeer Ahmed from Karachi Hotel road at Kauro Daudani and recovered from him 500 grams charas and the same was sealed on spot. Such F.I.R. was lodged.

3. Counsel for the Applicant/accused states that recovery of 500 grams has been foisted upon the present Applicant/Accused who is student of intermediate and has to appear in his upcoming examinations and has been falsely implicated in this case. No private mashir has been associated with the process of recovery. The version given in the FIR is of routine nature and being a student he is unlikely to commit such offence. Counsel states that he being student was involved in the protest against canals issue and was in fact picked up during the said protest however he then was later on implicated in this false case. He placed reliance on unreported Judgment of the Honourable Supreme Court of Pakistan in Criminal Petition No.146 of 2025, 2024 SCMR 934 and 2025 MLD 128.

4. Learned Addl. PG however opposes the grant of bail.

5. After hearing the Counsel as well as learned APG it transpires that the recovery is of very small quantity and easily can be foisted upon any one and the present Applicant/accused is student and has to appear in the upcoming intermediate examinations and cannot be kept behind bars for a case that is yet to be proceeded. Since case has already been challaned and is likely to be proceed soon the Applicant/Accused is granted bail in the sum of Rs.50,000/- and PR Bond in the like amount to the satisfaction of learned Trial Court.

JUDGE

Ali Haider