

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Cr. B.A. No.3261 of 2025
(Sajeem Khan vs. The State)

Present:
Mr. Justice Muhammad Iqbal Kalhoro
Mr. Justice Syed Fiaz-ul-Hassan Shah

For hearing of bail application

Date of hearing
& order **30.01.2026**

Mr. Muhammad Hanif Sama , advocate for applicant
Mr. Mushraf Azhar, Special Prosecutor, ANF

O R D E R

Muhammad Iqbal Kalhoro, J:- Applicant is seeking post arrest bail in a case bearing Crime No.33/2025, registered at Police Station ANF-II, MACHS, Korangi, Karachi, u/s 6/9(i) Sr. No.6(c) of CNS Act, 1997, by means of this application.

2. Anti-Narcotic Force (ANF), finding the applicant suspicious at Jinnah Airport, Karachi, on 22.04.2025, when he was about to board a flight bound for Baharain, stopped and frisked him. From his luggage allegedly, 976 grams of heroin was recovered, hence, he was booked in the present case.

3. Learned counsel for the applicant submits that applicant is first offender and the case has been challaned; no video recording of the alleged incident was done; in identical matters, the Honourable Supreme Court has been pleased to grant bail. In support of his contentions, he has relied upon the case laws reported in **2024 SCMR 934, and unreported orders in Cr. B.A. No.2557/2025 dated 01.01.2025, Cr. B.A. No.2442/2025 dated 04.12.2025, and Cr. B.A. No.2602/2025 dated 10.12.2025.** Particular reliance has been placed upon the case of *Muhammad Abid Hussain*¹ in which Supreme Court has been pleased to grant bail to an accused, from whose possession 1100 grams of heroin was recovered, on the grounds that there was no video recording of alleged incident, and no private person was cited as a witness of recovery at all.

4. Learned Special Prosecutor, ANF, however, opposed bail to the applicant on the ground that he was arrested from the Jinnah Airport and video recording is not mandatory. Nonetheless, we are of the view that the case of the applicant requires further inquiry, as he was arrested from the Jinnah Airport, where not only the CCTVs cameras are readily available, but the availability of other devices i.e. cell phones etc. to record the incident is a forgone conclusion. Yet, *prima facie*, there is no such evidence. *More* so, there is no record to suggest that the applicant has been previously implicated in such like cases. The applicant is in jail since April, 2025, and still no meaningful progress has been made in the trial. We, therefore, allow this applicant and

¹ 2025 SCMR 721

grant post arrest bail to the applicant subject to his furnishing a solvent surety in the sum of Rs.200,000/ (Rupees two hundred thousand only) with P.R. bond in the like amount to be executed to the satisfaction of the trial Court.

5. Bail application stands disposed of in the above terms. The observations made hereinabove are tentative in nature and would not prejudice case of either party at trial.

JUDGE

JUDGE

Rafiq/PA