

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Cr. B.A. No.3174 of 2025
(Muhammad Riaz 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**

M/s. Mateen Uddin Khan, Saad-ur-Rasheed Abbasi and Abdul Mutualib, Karimullah Sharif and Mashkoor Abbas, advocate for applicant
Mr. Musharaf 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.09/2025, registered at Police Station ANF, Gulshan-e-Iqbal, Karachi, u/s 6/9(i)(3)(e), 14, & 15 of CNSA of 1997, by means of this application.

2. Allegedly on spy information regarding the transportation of a huge quantity of narcotics from Balochistan to Karachi on 16.03.2025, the Anti-Narcotic Force (ANF) waylaid a truck coming from Balochistan opposite Al-Habib Restaurant, Northern Bypass near Shell Petrol Pump, Gadap Town in which co-accused Muhammad Saddiq was found driving. From search of the truck 25 kilograms of charas was recovered, hence, he was arrested. During interrogation, he disclosed that the owner of the truck was co-accused Badaruddin, who was the supplier of the narcotics, whereas, the present applicant was recipient of the said narcotics, who lives in Karachi. Hence, Badaruddin and present applicant were arrayed as accused in the case.

3. Meanwhile, co-accused Badaruddin, has been granted bail by the trial Court, whereas the bail application of the applicant has been dismissed solely on the ground that he is also involved in two other identical cases.

4. Learned defence counsel has pleaded for bail on the ground that applicant has been arrayed in this case only on the statement of co-accused, and the other co-accused Badaruddin, who was implicated likewise has been granted bail by the trial Court.

5. This position has not been denied by learned Special Prosecutor, ANF, who, however, has still opposed bail to the applicant. But, we are of the view that the case of the applicant is identical to the case of co-accused Badaruddin, who has been granted bail by the trial Court, hence, rule of consistency is applicable. More so, the question as to whether the applicant was in fact the potential recipient of the narcotics or not, requires further inquiry. Mere pendency of similar cases against the applicant is no ground for denying him the same concession, which has also been extended to another equally placed accused. Accordingly, this application is allowed and applicant is granted bail 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.

6. 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