

IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA

Criminal Bail Application No. D- 127 of 2026.

(Allah Bux Bangulani Vs. The State)

***Before: Mr. Justice Riazat Ali Sahar,
Mr. Justice Ali Haider 'Ada'***

Applicant: Allah Bux son of Bingo alias Bangul by caste Bangulani, *through* Mr. Haji Ahsan Ahmed Memon, Advocate.

The State: *Through*, Mr. Nazir Ahmed Bhangwar, Deputy Prosecutor General, Sindh.

Date of hearing: 05.08.2026.

Date of Order: 05.08.2026.

ORDER

Ali Haider 'Ada', J:- Through this application, the applicant seeks post-arrest bail in Crime No.47 of 2026, registered at Police Station Karampur, for offences punishable under Sections 9(i), (3) CNS Act, 2024. Earlier, the applicant approached the learned Special Judge, CNS/ Sessions Judge, Kashomre at Kandhkot, seeking post-arrest bail, but his application was dismissed vide order dated 08.06.2026.

2. Briefly stated, the prosecution case as set out in the FIR is that on 27.04.2026 at about 1100 hours, while the complainant SIP Abdul Sattar Shaikh along with other police officials was on routine patrolling within the jurisdiction of Police Station Karampur, they reached near Sher Muhammad Bijarani curve, where they allegedly noticed the applicant standing on the roadside holding a blue coloured plastic shopper. On seeing the police party, the applicant allegedly attempted to flee but was apprehended after a short chase. Due to the non-availability of private mashirs, two police officials were associated as mashirs. Upon search of the shopper, charas weighing 2000 grams was allegedly recovered, while an amount of Rs.300/- was also recovered from the right pocket of the applicant. The recovered substance was sealed on the spot, mashirnama was prepared and thereafter the instant FIR was registered against the applicant for the above offence.

3. The Learned Counsel for the applicant submits that applicant/accused is innocent and falsely been implicated in this case; that no private mashir was

associated with the alleged recovery despite availability; that the mandatory requirement of video recording under Section 17 of the Sindh CNS Act, 2024 has not been complied with; that there is material discrepancy between the weight mentioned in the FIR and the Chemical Examiner's report; that the applicant is no longer required for investigation as challan has already been submitted; and that the case calls for further inquiry.

4. Learned D.P.G. opposed the application and argued that commercial quantity of charas has been recovered from the possession of the applicant and sufficient incriminating material is available connecting him with the alleged offence.

5. Heard learned counsel for the parties and perused the available record.

6. At the bail stage only a tentative assessment of the material is to be made. The record prima facie reflects that the prosecution case rests solely upon the testimony of police officials and no independent witness has been associated with the alleged recovery. It has further been alleged that the mandatory requirement regarding video recording of the recovery proceedings under Section 17 of the Sindh CNS Act, 2024 was not observed. Besides this, the FIR mentions recovery of 2000 grams of charas, whereas the Chemical Examiner's report reflects a gross weight of 2020 grams and net weight of 1980 grams, which, at least at this stage, creates a circumstance requiring deeper probe during trial. The applicant is in judicial custody, investigation has been completed and challan has already been submitted. Without making any observation on the merits of the case, which may prejudice either side at the trial, I am of the tentative view that the case of the applicant calls for further inquiry within the meaning of Section 497(2), Cr.P.C. Consequently, the instant bail application is allowed. The applicant/accused Allah Bux son of Bingo alias Bangul is admitted to post-arrest bail subject to his furnishing solvent surety in the sum of Rs.200,000/- (Rupees Two Lac only) and a P.R. bond in the like amount to the satisfaction of the learned trial Court.

7. The observations made herein are tentative in nature and shall not influence the learned trial Court while deciding the case on merit.

JUDGE

JUDGE