

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Cr. B.A. No.3287 of 2026
(Brady Mallah & another vs. The State)

Present:
Mr. Justice Muhammad Iqbal Kalhoro
Mr. Justice Jawad Akbar Sarwana

For hearing of bail application

Date of hearing
& order **26.10.2026**

Mr. Mushtaq Ahmed, advocate for applicant
Mr. Mohammad Ali Noonari, DPG

ORDER

Muhammad Iqbal Kalhoro, J:- Applicants are seeking post arrest bail in a case bearing Crime No.485/2025, u/s 9(I)/4(C)/9(2)9/9(i)3(C)/9(i)3(b) Sindh Control of Narcotics Substance, Act, 2024, registered at Police Station Mouchko, Karachi, by means of this application.

2. Earlier, the same applications filed by the applicants were dismissed on merits. But while dismissing the applications, this Court had directed the trial Court to conclude the trial. Although, the time to conclude the case was given but without any consequential penalty, or a window of opportunity to the applicants to repeat their bail applications after such period. We are not satisfied, therefore, with the arguments raised by the learned defence counsel over maintainability of this bail application filed only on the ground of non-compliance of that direction. Not the least, when the earlier applications of the applicants have been dismissed on merits by this Court vide order dated 22.07.2026 (Cr. B.A. No.759/2026).

3. Even otherwise, we have seen that applicants are a part of four accused arrested on the same day, and from all of them, a total quantity of narcotics i.e. 11.440 Kg from a trailer and a rickshaw was recovered. Applicant's counsel has urged on individual recovery of the applicants. But in the case, where accused are jointly arrested from the same spot, found in possession of separate narcotics may be, their joint possession of entire stock is a probability that cannot be ruled out at this stage.

4. However, as an expeditious conclusion of the trial is a right of accused. Therefore, we dismiss the bail application and direct the prosecution to bring the witnesses without fail and the trial Court to examine them as soon possible.

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.