

## **IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD**

Cr. Bail Application No.S-1153 of 2026

Applicant : Muhammad Ishaque s/o Hamza Khan Lehri  
Through Mr. Ameer Bux Bajreer, Advocate.

The State : Through Mr. Shahid Ahmed Shaikh, Addl. P.G.

Date of hearing : **28-10-2026**

Date of order : **28-10-2026**

### **ORDER**

**OMAR SIAL, J:-** Applicant Muhammad Ishaque seeks post-arrest bail in crime number 431of 2026 under section 8 of Sindh Prohibition of Preparation, Manufacturing, Storage, Sale and Use of Gutka and Manpuri Act, 2019, registered at the Badin police station, District Badin.

2. As per the prosecution case, on 04.07.2026, at about 1800 hours, the applicant/accused was apprehended by ASI Sultan Mehmood Soomro, CIA Center Badin, along with police staff, from Jhalar Stop on the Hyderabad–Badin Main Road, while he was driving a black heavy vehicle bearing registration No. BR-9939. During checking, the applicant allegedly attempted to turn back the vehicle, arousing police suspicion. Upon search of the vehicle, 14 white bags containing 420 packets of Safina Gutka, comprising 46,200 sachets in total, were recovered from its rear seats and trunk (diggi). Five sachets were separated and sealed for chemical analysis, while the remaining packets, cash amounting to Rs. 2,000/-, and the vehicle were taken into police custody. The arrest and recovery mashirnama was prepared in the presence of police mashirs, as no private person was available at the spot.

Consequently, the applicant was booked in the present crime.

3. I have heard the applicant's learned counsel and the learned Additional Prosecutor General Sindh.

4. The offence with which the applicant is charged falls within the non-prohibitory clause of Section 497 Cr.P.C. Learned Additional Prosecutor General Sindh has confirmed that the applicant doesn't have crime record previous to this case. The applicant has been in jail for three and a half months already. By the time this case is heard and decided, the applicant would have completed his sentence without being adjudicated guilty. My findings and observations are as follows.

- i. The punishment falls within non prohibitory clause. Keeping in mind the principles enunciated in *Tariq Bashir and 5 others vs. The State* (**PLD 1995 SC 34**), I do not see any exceptional or extraordinary reason to deny the applicants bail.

5. Accordingly, the bail application is allowed and the applicant is admitted to post-arrest bail against solvent surety of Rs.500,000/- and P.R. Bond for the like amount to the satisfaction of learned Trial Court.

**JUDGE**

*Ali Haider*