

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Cr. Bail Appl.No.2259 of 2026

Date	Order with signature of the Judge
------	-----------------------------------

Present:
Mr. Justice Muhammad Iqbal Kalhoro.
Mr. Justice Khalid Hussain Shahani.
MustafaVs. The State

28.08.2026.
Mr. Abdul Aziz Shar, Advocate for applicant
Mr. Abrar Ali Khichi, Addl. P.G.

O R D E R
=

MUHAMMAD IQBAL KALHORO J: Applicant was arrested by a police team of P.S. Sharafi Goth, Malir Karachi headed by SIP Ghulam Mustafa on 29.06.2026 from Nek Muhammad Goth, Sharafi Goth near Football ground, Landhi Karachi and from him allegedly 510 grams of Charas was recovered, hence he was booked in FIR bearing Crime No.302/2026 U/s 9(1), 3(b), CNS Act, 2024 of P.S. Sharafi Goth, Karachi.

2. Applicant’s counsel has pleaded for bail on the ground that offence does not fall within prohibitory clause of section 497 Cr.P.C; the case has been challaned and the applicant is no more required for further investigation.

3. On the other hand, learned Addl.P.G. has opposed bail on the ground that applicant has criminal history. However, learned defence counsel has submitted a copy of order dated 22.12.2025 passed in Crime No.318/2016 U/s 6,9 CNS Act of P.S. Sharafi Goth showing that applicant has been acquitted u/s 265-K Cr.P.C in that case.

4. In view of above, we are of the view that against the applicant, his criminal history cannot be considered. The present offence does not fall within prohibitory clause of section 497 Cr.P.C; investigation is over and applicant is no more required for further investigation, his confinement in jail is not beneficial to the prosecution in any manner. Accordingly, this application is allowed and applicant is granted bail subject to his furnishing a solvent surety in the sum of Rs.50,000/- and P.R bond in the like amount to the satisfaction of the trial court.

The observations made hereinabove are tentative in nature and would not prejudice case of either party at trial.
The Cr. Bail Application is disposed of.

JUDGE

JUDGE

A.K