

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Cr. B.A. No.2329 of 2026
(Liaquat Khan vs. The State)

Present:
Mr. Justice Muhammad Iqbal Kalhoro
Mr. Justice Khalid Hussain Shahni

For hearing of bail application

Date of hearing

& order **14.09.2026**

Mr. Ghulam Nabi Shar, advocate for applicant

Mr. Abrar Ali Khichi, Addl: PG Sindh

ORDER

Muhammad Iqbal Kalhoro, J:- Applicant is seeking post arrest bail in a case bearing Crime No.424/2021, u/s 6/9-C CNSA, registered at Police Station Ibrahim Hyderi, Karachi, by means of this application.

2. A police team of Police Station Ibrahim Hyderi headed by SHO Syed Muhammad Ali Shah, during patrolling, on a spy information, reached Rehri Road, Near China Factory Ibrahim Hyderi, Karachi and stopped a car in which six persons were travelling. They took personal search of each person after getting them off the said car. Each person was found holding two shopper bags containing 2,430 grams of charas. The driver, however, during the course, made his escape good along with the car. The total recovery thus effected was almost a little more than 12 kg. Hence, the accused were booked in the present case.

3. However, in the investigation, the IO came to a conclusion that the story did not stand and the case was false. Hence, he disposed of the case under "B Class" by releasing all the accused. His report was accepted by the trial Court. The complainant, however, challenged the said order before this Court, and this Court, vide order 16.12.2025, turned down the said order and sent back the matter to the trial Court for a trial. After that, applicant and some of other accused were arrested.

4. Applicant had filed earlier a bail application, which was disposed of with the direction to the trial Court to examine material witnesses in three months' time vide order dated 12.03.2026. When the said direction could not be complied with by the trial Court and his second bail application was dismissed, the applicant filed instant application for the same relief.

5. On the last date of hearing, a report from the trial Court regarding its failure to comply with the previous order was called. The trial Court has submitted a report stating usual excuses, viz. non-production of custody of the applicant, etc., to justify the delay, so much so that it has even failed to frame the charge, let alone examine any witness.

6. Learned counsel for the applicant has cited all these grounds for bail.
7. On the other hand, learned Addl: PG has opposed bail.
8. Notwithstanding, we are of the view that in the given circumstances, the applicant is entitled to bail as not only the case against him requires further inquiry on account of its disposal under "B Class" (false story) by the IO. But, more so, the trial Court has failed to comply with the direction to examine the material witnesses on usual excuses without taking required pains to ensure production of custody and making some progress in the trial. Further, the case has been resurrected only after this Court turned down the order accepting the disposal of the case under "B Class" by the trial Court.
9. Accordingly, this bail 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.
10. 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.