

**ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI**

**Cr. Bail Appl.No.2811 of 2025**

Date	Order with signature of the Judge
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Present:

**Mr. Justice Muhammad Iqbal Kalhoro.**

**Mr. Justice Syed Fiaz ul Hassan Shah.**

Lutufullah .....Vs. .... The State

**18.12.2025.**

Mr. Naveed Ahmed Baloch, Advocates for applicant  
Mr. Musharaf Azhar, Special Prosecutor ANF

**ORDER**

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**MUHAMMAD IQBAL KALHORO J:** ANF police on spy information started checking of an area near Bismillah Market, Gate No.1 new Sabzi Mandi, Super Highway Karachi on 08.07.2025 where a Hino Truck No.JT-9542 came and started waiting. After some time a person whose name subsequently transpired as Muhammad Nadeem approached the truck. He was identified by the spy to be the person involved in the case, hence ANF police arrested him and the truck driver and from search of truck recovered 54 K.Gs of Charas. During interrogation, both the accused disclosed that Charas was meant to be delivered to the present applicant, hence he was booked in this case bearing Cr. No.25/2025 U/s 6, 9(1) 3(e), 14,15 CNS Amended Act, 2022 of P.S. ANF Gulshan-e-Iqbal, Karachi.

2. Learned counsel for applicant submits that applicant's name is not mentioned in FIR and he has been implicated in this case on the basis of statement of co-accused, admissibility of which is yet to be determined.

3. On the other hand, learned Special Prosecutor ANF has opposed the bail to him citing his previous conviction in Narcotics case, however, he does not have any document to show that in which case he has been convicted and in this regard he has simply relied upon the version of I.O. in the Challan disclosing such fact.

4. Be that as it may, applicant was neither arrested from the spot nor any recovery of Narcotics was effected from him; his name has been disclosed by the co-accused in investigation which is considered a weak type of evidence. More so, admissibility of such evidence is yet to be determined at trial. Insofar as previous conviction is concerned, firstly there is no documentary record available in this regard and secondly impact of such conviction is for the trial court to determine at the end of the trial. We, therefore, are of a view that applicant's case requires further inquiry and he has succeeded in making the case for bail. Accordingly, this

application is allowed and applicant is granted bail subject to his furnishing a solvent surety in the sum of Rs.200,000/- 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