

IN THE HIGH COURT OF SINDH CIRCUIT COURT MIRPURKHAS

Crl. Bail Application No.D-17 of 2025

Present:

**Mr. Justice Shamsuddin Abbasi,
Mr. Justice Muhammad Hasan (Akber).**

Applicant: Dilber Ali S/o Khamiso,
Through Mr. Aziz Ahmed Laghari, Advocate.

Respondent: The State.
Through Mr. Dhani Bakhsh Mari, Assistant P.G.

Date of hearing: **03.11.2025**

Date of Order: **03.11.2025**

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ORDER

SHAMSUDDIN ABBASI, J.:- Through this Bail Application, the applicant/accused seeks post-arrest bail in FIR No.06/2025 registered under Section 9(i), 3-C (SCNS Act, 2024) of PS DIO Excise, Taxation & Narcotics Control, Mirpurkhas, after his bail plea has been declined by the learned Additional Sessions Judge-I/Special Judge, SCNS, Mirpurkhas vide order dated 06.10.2025.

2. The brief facts of the prosecution case are that the complainant AETO of police station DIO Excise, Taxation & Narcotics Control, Mirpurkhas, arrested the accused and recovered one black shopper containing 07 pieces of charas weighing 3580 grams, under the memo of arrest and recovery in the presence of official mashirs by sealing the property at spot. Thereafter he brought the applicant/accused and property at police station, where he lodged this F.I.R.

3. Learned counsel for the applicant contends that the applicant is innocent and falsely implicated in this case; that accused has falsely been implicated in this case by the complainant/police by foisting the property. He further submits that police has failed to collect private

mashir nor prepared any video and photographs of arrest and recovery; that there is violation of Section 17 of the Sindh CNSA, 2024 as complainant failed to obtain video clips/photographs at the time of recovery. He lastly prayed for grant of bail.

4. Learned A.P.G opposed the grant of bail on the ground that the accused is involved in serious narcotics offence carrying up to 14 years' imprisonment. He further submits that 3,580 grams of charas were recovered from the possession of the applicant, which constitutes a large and socially harmful quantity. Lastly, he prayed for dismissal of the bail application.

5. Heard learned counsel for the applicant, learned Assistant P.G and perused the material available on the record.

6. From tentative assessment of the material available on record, it appears that the applicant was apprehended along with 3,580 grams of charas, recovered in presence of mashirs and the Chemical Examiner's report is positive. The recovered quantity falls within the ambit of large quantity as defined under the Sindh Control of Narcotic Substances Act, 2024 and provided imprisonment which may extended to 14 years.

7. Sufficient material is available on record to connect the applicant/accused with the commission of offence which comes within the ambit of prohibitory clause of section 497 Cr.P.C. The grounds agitated by the counsel for the applicant relates to deeper appreciation of evidence, which is not permissible at the bail stage.

8. In view of the foregoing, learned counsel for the applicant/accused has failed to make out a case warranting the grant of bail. Accordingly, the instant bail application filed on behalf of the

applicant/accused is **dismissed**. However, learned trial court is directed to conclude the trial preferably within 03 months.

9. The observations made here-in-above are tentative in nature and would not prejudice the case of either party at the trial.

JUDGE

JUDGE

Faisal