

# IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Cr. Bail App. No. D – 179 of 2025

(*Abdul Hameed Budh versus The State*)

Before:

**Mr. Mahmood A. Khan, J.**

**Mr. Khalid Hussain Shahani, J.**

Date of hearing : **24.02.2026**

Date of decision : **24.02.2026**

Mr. Riaz Hussain Mallah, Advocate for applicant.

Mr. Shafi Muhammad Mahar, Deputy Prosecutor General.

## **ORDER**

**Mahmood A. Khan, J.** – The present applicant has been nominated in FIR No.388 of 2025, registered at Police Station Naushahro Feroze, under Section 9(1) Sr. No.3(b) of the Sindh Control of Narcotic Substances Act, 2024, alleging that 520 grams of charas has been recovered from him.

2. Learned Counsel for the applicant contends that surprisingly no amount has been recovered from the applicant and that no video or photographs were recorded and taken during the alleged arrest and recovery of the contraband as required under Section 17(2) of the Sindh Control of Narcotic Substances Act, 2024. He further submits that the arrest has taken place far from the native village, and he relies upon the authorities of *Zahid Sarfaraz Gill v. The State* (2024 SCMR 934) and *Shahzaib alias Wadero Feroze v. The State* (2024 YLR 1298).

3. Learned DPG, though opposes the bail, admits that no CRO is available for the applicant, on query of the Court. He also acknowledges the non-availability of video recording, and further states that five years being the lesser punishment is available in the matter.

4. Having heard the learned Counsels and gone through the record, apparently, the time of conviction available to the applicant being five years' lesser punishment coupled with the element of no amount having

been recovered; as such, sale is not likely be alleged against him, and considering the element of the incident not recorded, bail application stands **allowed**, and the applicant is admitted to post-arrest bail against the surety of Rs.1,00,000/- (*Rupees one lac*) and the P.R. bond in the like amount to the satisfaction of the learned trial Court.

The bail application stands **disposed of** in the above terms.

J U D G E

J U D G E

Abdul Basit