

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Cr. B.A. No.984 of 2026
(Akhtar Khan *vs.* The State)

Present:
Mr. Justice Muhammad Iqbal Kalhoro
Mr. Justice Muhammad Abdur Rahman

For hearing of bail application

Date of hearing

& order **07.08.2026**

Mr. Muhammad Akbar, advocate for applicant

Mr. Mushraf Azhar, Special prosecutor, ANF

ORDER

Muhammad Iqbal Kalhoro, J:- Applicant is seeking post arrest bail in a case bearing Crime No.48/2024, u/s 9(i)3(c), 14, 15 CNSA, 1997, registered at Police Station ANF Clifton, Karachi, by means of this application.

2. Applicant was arrested along with co-accused Abdul Aziz on spy information by the Anti-Narcotics Force on 14.10.2024 at Urdu Chowk, Sector-11, Orangi Town, District West, Karachi, while riding on motorcycle and carrying small bags. From small bags, 7.2 kgs of charas each was recovered, making the total recovery of charas from the applicant and co-accused as 14.4 kgs. Hence, they were booked in the present case.

3. Learned counsel for the applicant has pleaded for bail stating that videography of incident has not been carried out and that, despite spy information Anti-Narcotic Force did not arrange the presence of any private witnesses at the spot. He has relied upon the case laws¹.

4. On the other hand, learned Special Prosecutor, ANF has opposed bail and stated that this case was registered in 2024, before the Supreme Court issued directions regarding videography, or the Sindh Assembly amended the Sindh Narcotics Law by introducing a provision containing the scheme for recording the incident on video. He has further submitted that meanwhile, one witness has been examined, and the trial is likely to be concluded in near future.

5. We have considered submissions of the parties and are of the view that applicant is not entitled to concession of bail, as in all 14.4 kgs of charas was recovered from the applicant and his accomplice while they were riding on a motorcycle. In narcotics cases, it is settled that provisions of section 103 are not applicable. To the extent that videography was ordered by the Supreme Court only after this case was registered, we agree with the learned Spl:

¹ 2025 SCMR 1657 & 2025 SCMR 721,

Prosecutor, ANF. More so, the effect of non-recording of the incident on video is to be appreciated by the trial Court only after recording of the evidence. There is no material showing that Anti-Narcotic Force had any enmity with the applicant so as to falsely implicate him in this case involving recovery of a huge narcotics. Consequently, we dismiss this bail application. However, are hopeful that trial Court would make efforts to conclude the case as soon as possible.

6. 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.