

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Criminal Bail Application No. 773 of 2024
(Muhammad Gul Khalid v. The State)

Date	Order with signature of Judges
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For hearing of bail application

27.05.2024

Ms. Tabassum Hashmat, advocate for the applicant
Ms. Abida Parveen Channar, Special Prosecutor ANF

It is alleged that the applicant booked through EPS courier service 11 kilograms of ICE by concealing the same in a wooden cradle to be delivered to co-accused Muhammad Asad in Australia by a police party of PS ANF-II, Korangi Karachi, for which the present case was registered.

The applicant on refusal of post-arrest bail by the learned Incharge Judge, Special Court-I (CNS) Karachi, has sought the same from this Court by way of instant bail application under Section 497 Cr.P.C.

It is contended by learned counsel for the applicant that the applicant is innocent and has been involved in this case falsely by the ANF police; he has nothing to do with consignment and there is no independent witness to the incident, therefore, he is entitled to be released on bail on point of further inquiry, which is opposed by learned Special Prosecutor ANF by contending that it was the applicant who has booked the consignment to be delivered at Australia.

Heard arguments and perused the record.

The applicant is named in FIR with the specific allegation that the contraband substance was booked by him to be delivered in Australia;

such fact takes support from the statement made by Ubaidullah the booking clerk of the above-mentioned courier company. In that situation, it would be premature to say that the applicant being innocent has been involved in this case falsely by the ANF police officials. Of course, there is no independent witness to the incident, but there could be no denial to the fact that the officials are as good witnesses as others until and unless some malafide is alleged against them, which is lacking in the present case; they even otherwise could not be disbelieved by this Court at this stage. The offence which the applicant is alleged to have committed is affecting the society at large and is earning a bad name for the country abroad. There appear reasonable grounds to believe that the applicant is guilty of the offence, with which he is charged; thus, no case for his release on bail on point of further inquiry is made out.

Consequent to the above discussion, the instant bail application is dismissed.

J U D G E