

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
Cr. Bail Application No.1487 of 2018

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DATE            ORDER WITH SIGNATURE(S) OF JUDGE(S)  
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For hearing of bail application

**10.01.2019**

Mr. Zahoor Ahmed, Advocate for the applicant.  
Ms. Abida Parveen Channar, Spl. Prosecutor ANG.

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Through the instant bail application, applicant/accused Riasat Ali son of Wali Muhammad, seek bail after arrest in FIR No.40/2013, registered at police station ANF Clifton, Karachi under Sections 6/9-C C.N.S.A. 1997.

2. Brief facts of the prosecution case as disclosed in the FIR are that on 03.11.2013 at 1300 hours at bus stop Yousuf Goth, near P.S Mawach Goth, Hub River Road, Karachi Complainant Inspector Muhammad Afzal of PS ANF Clifton, Karachi alongwith other ANF officials arrested accused Nazeer Ahmed from driving seat of a Mini Bux bearing registration No.PE-3328 and recovered 10 foil packets of Charas/Hashish weighing 10 Kgs from your possession behind the driving seat of mini bus. During investigation it revealed that the recovered narcotics substance delivered by Riasat Ali son of Wali Muhammad, r/o Old Golimar, Karachi.

3. The applicants/accused approached the learned Special Court-II (C.N.S) Karachi for bail, which was dismissed by order dated 27.05.2017. Thereafter, the applicant approached this Court for grant of bail.

4. I have heard learned counsel for the applicants and learned Spl. Prosecutor ANF.

5. Learned Spl. Prosecutor ANF confirms before this Court that in this particular FIR No.40/2013 no recovery has been affected from the present applicant/accused. However, she contends that he is absconder in some other cases, therefore, the bail was refused by the trial Court on the ground that he is absconder in some other cases. Bail is to be granted on the basis of the contents of FIR in which bail has been requested. Had it been the case that the applicant was already absconder in some other case then he should have been given bail and the prosecution should have arrested him in other case. In this particular case and prosecution arrested the main from the Court room on the basis of perpetual warrant, if there has been any order; therefore, this bail application is granted subject to furnishing solvent surety in the sum of Rs.1,00,000/- (*Rupees One Hundred Thousand*) and P.R bond in the like amount to the satisfaction of trial Court.

6. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the trial Court while deciding the case of the applicant/accused on merits.

JUDGE

SM