

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI

**Cr. Bail Application No.1758 of 2018**

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

**25.02.2019**

Mr. Azhar Hussain, advocate for the applicant.  
Ms. Amna Ansari, D.P.G.

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**NAZAR AKBAR, J.-** Through the instant bail application, applicant/ accused Shaikh Waqas @ Ghulam Waqas after failing to obtain post arrest bail from the Special Judge (Control of Narcotics Substances) Karachi seeks bail after arrest in FIR **No.350/2016**, under Sections **6/9-C CNS Act, 1997** registered at police station Ittehad Town, Karachi.

2. To be very precise, the applicant/accused was arrested in **crime No.350/2016** under Section 6/9(C), Narcotics Substance Act and **FIR No.351/2016**, under Section 23(1)(A) of the Sindh Arms Act, 2013 both registered at P.S Ittehad Town, Karachi when he was already on bail in crime No.785/2011 under Section 13-D, Arms Ordinance registered at Saeedabad Police Station. During his arrest he was also made to face case under **Sections 302/34 PPC** in blind crime No.315/2013. However, today learned counsel for the applicant has placed on record orders of acquittal of applicant on merit in all the three cases i.e **crime No.785/2011**, **Crime No.315/2013** and **Crime No.351/2016**. The mushirnama of recovery of weapons in Crime No.351/2016 under Section 23(1)(A) is the same in which recovery of narcotics in Crime No.350/2016 has also been shown. When the mashirnama of recovery of Narcotics Substance is not free

from doubts, I believe the applicant has made out a case for bail. However, learned State counsel has very reluctantly opposes this bail application.

3. In view of the above facts, instant bail application is allowed. The applicant is admitted to bail subject to furnishing solvent surety in the sum of **Rs.50,000/-** (*Rupees Fifty Thousand*) and P.R bond in the like amount to the satisfaction of the trial Court.

4. 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

Ayaz Gul