



question of tampering with the prosecution evidence does not arise. Lastly it is argued that applicant is behind the bar since her arrest i.e. 23.01.2019, therefore, prayed for his release on bail. In support of his submissions, he has placed reliance on 1999 SCMR 1271, 2014 YLR (Sindh) 632, PLD 2009 Lahore 362 and 2017 S.L.J Larkana 247.

5. Learned Additional Prosecutor General Sindh opposed the bail application on the ground that huge quantity of charas has been effected from the possession of the applicant; that the offence with which the applicant is charged is against the society; that no enmity or ill-will has been pointed out against the police officials by the defence counsel, he therefore, prayed for dismissal of the instant bail application.

7. Heard and perused the record.

8. The offence with which the applicant is charged is an offence against society at large and carries punishment of death or imprisonment for life; that the applicant was caught red handed with charas; that there is no allegation of any enmity between the applicant and the police officials who arrested him and that the chemical report is also positive. Honourable Supreme Court in the case of **Socha Gul v. The State (SCMR 2015 1077)**, has held that bail should be granted sparingly in narcotics cases keeping in mind Section 51 of the Control of Narcotic Substances Act, 1997, which provides a note of caution as well as the fact that the offence amounts to a crime against society. With regard to the non-association of private persons, Section 25 of the CNSA exempted their presence in narcotics cases even otherwise the evidence of police officials is as good as any other citizen. In the case reported as **Muhammad Noman Munir vs. The State and another (2020 SCMR 1257)**, the Honourable Apex Court declined the bail to an accused from whom 1380 grams of cannabis with 07 grams of heroin was recovered by the police officials, however in the present case, from the possession of the applicant 1800 grams of charas was recovered by the police party and the contention of learned counsel for the applicant that charas was foisted upon him is matter which could only be dealt with after recording

evidence and it is well established principle of law that at bail stage only tentative assessment is to be undertaken and no deeper examination is permissible. Thus, tentative assessment of material available on record, *prima facie* leads to a conclusion that there are no *reasonable grounds* exist to believe that it is a case of further enquiry.

9. In the mentioned circumstances, I do not find the applicant/accused entitled for bail at this stage of case. Accordingly, the bail plea is hereby dismissed.

JUDGE

Sajid..