

ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI

Crl. Bail Application No. 2228 of 2022

DATE

ORDER WITH SIGNATURE OF JUDGES

For hearing of bail application.

10-02-2023

Syed Samiullah Shah, Advocate for applicant.
Mr. Abrar Ali Khichi, Addl.P.G.

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Omar Sial, J: Wazeer Khan was apprehended by the police of the SIU Karachi on 23.05.2021 while he was riding a motorcycle with one other man. The other man escaped. 23 packets of charas were recovered from Wazeer Khan's possession. F.I.R. No. 244 of 2021 was registered under sections 6 and 9(c) of the CNC Act, 1997.

2. Learned counsel has argued that the aggregate charas recovered was not written in the F.I.R. and that the applicant is a sick and old man. Learned Addl.P.G. has supported the impugned order. My observations are as follows.

3. Wazeer Khan was apprehended red handed with a substantial amount of charas. The police had no enmity with him to wrongly frame him nor was any enmity, malafide or ill-will pleaded by the learned counsel. The quantity of charas recovered was 24 kgs and all of it was sent for chemical analysis. The chemical analyzers report concludes that the recovered substance was charas. The applicant faces a potential capital sentence for the amount of charas prima facie recovered from his possession. It is true that the aggregate of the charas is not mentioned in the F.I.R. but the memo of arrest and recovery ostensibly made on the spot does include the weight of the seized charas.

4. The bail application is dismissed. The jail authorities shall however ensure provision of proper medical facilities to the applicant while he is in prison.

JUDGE