

IN THE HIGH COURT OF SINDH, KARACHI.**Cr. Bail Appl No.2199 of 2024**

(Rehmatullah vs. The State)

05.11.2024

Mr. Naeemullah Bhutto, advocate for applicant
Barrister Main Haad A.M. Special Prosecutor, ANF

ORDER

MUHAMMAD IQBAL KALHORO J: On spy information applicant was arrested from Mehmoodabad Bridge Chowk Karachi on 24.06.2024 and from his personal search 2900 grams of charas was recovered, hence, FIR.

2. Learned counsel in defence has argued that in memo of arrest and recovery date of 25.06.2024 is mentioned, whereas, the FIR shows the date and time of incident as 24.06.2024. After arrest, the applicant's father had moved an application against wrong custody of the applicant. No video clip of the incident has been recorded and the case is full of contradictions.

3. His arguments has been rebutted by learned Special Prosecutor, ANF.

4. *Prima facie*, applicant appears to be involved in the alleged offence as from him huge quantity of charas 2900 grams has been allegedly recovered. The points raised by applicant's counsel in defence requires deeper appreciation of evidence, which can only be determined by the trial Court after recording of evidence. No case for bail is mad out. Accordingly, this bail application is dismissed. However, the trial Court is directed to examine the material witnesses within a period of three months' time. After which, applicant would be at liberty to move a fresh bail application before the trial Court, which if filed, shall however be decided on its own merits.

5. Needless to mention that the observations made herein above are tentative in nature and would not prejudice case of either party at trial. The bail application is disposed of in the above terms.

J U D G E**Rafiq/P.A.**