

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Present:

Mr. Justice Muhammad Iqbal Kalhoro
Mr. Justice Syed Fiaz-ul-Hassan Shah

Cr. B.A. No.1802 of 2025

(Mirza Naffay Mansoor Baig vs. The State)

Cr. B.A. No.2681 of 2025

(Mirza Naffay Mansoor Baig vs. The State)

Cr. B.A. No.959 of 2025

(Muhammad Aslam vs. The State)

Cr. B.A. No.960 of 2025

(Muhammad Aslam vs. The State)

For hearing of bail application

Date of hearing

& order **12.02.2026**

Mr. Izhar Aslam Farooqui, advocate for applicant in Cr. B.A. No.1802/2025 and Cr. B.A. No.2681/2025

Mr. Shah Imroz Khan, advocate for applicant in Cr. B.A. No.959 & 960/2025

Mr. Nisar Ahmed Mallah, advocate

Mr. Mohsin Ali Khan, Special Prosecutor, ANF

ORDER

Muhammad Iqbal Kalhoro, J:- Applicants are seeking post arrest bail in a case bearing Crime No.04 & 05 2025, registered at Police Station, ANF Clifton, Karachi, u/s 6/9(1)6 (c) & (f), 14, and 15 of the Control of Narcotic Substances Act, 1997, by means of these applications.

2. Allegedly on 14.04.2025 on spy information, Anti-Narcotics Force arrested Oshan Lakmina, a Srilankan resident, from Jinnah International Airport, Karachi, when he was about to board a flight bound for Srilanka, and from his possession, 1750 kilograms of heroin was recovered, hence, FIR No.04/2025 was registered against him.

3. In interrogation, he disclosed names of various accused, including applicant, Mirza Nafeh Mansoor Baig to be his facilitators etc., hence, he was arrested next day i.e. 15.01.2025. On his pointation, a raid was conducted at House No.145, Phase-III, Gulshan-e-Hadeed, Karachi belonging to co-accused Daudi Morkas, from where 10 kilograms of heroin was recovered.

4. Applicant, Mirza Nafay Mansoor Baig in the investigation is stated to have further disclosed names of applicant, Muhammad Aslam, Haji Khan, and Shabir Hussain to be his accomplices and further revealed that the heroin was purchased from applicant, Muhammad Aslam. On the basis of this information, applicant Muhammad Aslam and others were arraigned and the second FIR No.5/2025 was registered.

5. Learned counsel for the applicant, Muhammad Aslam (Cr. B.As. No.959 & 960/2025), has argued that except statement of co-accused, nothing incriminating has been collected against him. The allegation that the heroin was supplied by the applicant, Muhammad Aslam, is otherwise not supported by any tangible or independent evidence.

6. Learned counsel for the applicant Mirza Nafay Mansoor Baig (Cr. B.A. No.1802/2025 & Cr. B.A. No.2681/2025) has argued that applicant is innocent and has been falsely implicated in this case; that at the time of framing of charge, the applicant pleaded not guilty; and he is in jail since 15.01.2025, hence, he is entitled to bail. Even otherwise, per him, the recovery was not effected from him but from a house not in his possession.

7. We have considered submissions of the parties and perused material available on record. In our view, insofar as, the case against the applicant Muhammad Aslam is concerned, it requires further inquiry in that no direct recovery of any narcotics substance has been effected from him and he has been arraigned in both the FIRs solely on the basis of a statement of co-accused, authenticity of which is yet to be appreciated at the time of trial.

8. However, insofar as the case against applicant, Mirza Nafay Mansoor Baig is, there are reasonable grounds to believe that he has committed alleged offence, which is considered to be an offence against the society. *Prima facie*, on his pointation and disclosure huge quantity of heroin i.e. 10 kilograms was recovered from the house of a co-accused. Such recovery is further supported by the statements of prosecution witnesses, who *prima facie* have no enmity to falsely implicate him.

9. Therefore, we allow the bail applications of applicant Muhammad Aslam, and grant him bail in each case subject to his furnishing a solvent surety in the sum of Rs. 300,000/- (Rupees Three Hundred Thousand only)

each along with a P.R. bond in the like amount, to the satisfaction of the trial Court. Whereas, Cr. B.As. No.1802/2025 & Cr. B.A. No.2681/2025 of applicant Mirza Nafay Mansoor Baig are hereby dismissed.

Bail applications stand disposed of in the above terms. The observations made hereinabove are tentative in nature and would not prejudice case of either party at trial.

Office is directed to place a copy of this order in connected matters.

JUDGE

JUDGE

Rafiq/PA.