

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Cr. Bail App. No. D – 10 of 2026

(Inayatullah Lakho versus The State)

Before:

Mr. Mahmood A. Khan, J.

Mr. Khalid Hussain Shahani, J.

Date of hearing : **18.02.2026**

Date of decision : **18.02.2026**

M/s Achar Khan Gabol and Ghulam Ali Bozdar, Advocates for applicant.

Syed Sardar Ali Shah Rizvi, Additional Prosecutor General.

ORDER

Mahmood A. Khan, J. – Present applicant seeks bail in Crime No.187 of 2025, registered at Police Station Bhirya City, District Naushahro Feroze, under Section 9(1) Sr. No.3(c) of the Sindh Control of Narcotic Substances Act, 2024, wherein it is alleged that 1050 grams recovery of charas has been effected from him.

2. Learned Counsel for the applicant contends that the alleged charas pieces were not weighed separately and as per the FIR 100 grams have been sent, whereas a contradiction is appearing in 161, Cr.P.C. statements where the witnesses say that 200 grams have been sent for chemical examination. It is also contended that compliance of Section 17(2) of the Sindh Control of Narcotic Substances Act, 2024, has not been made along with violation of Section 17(1) of the said Act, as the complainant, who has otherwise acted as the Investigating Officer in the matter also, is holding rank of Assistant Sub-Inspector, whereas the requirement is that of Inspector. He also contends that no CRO of the applicant has been brought up as no cases are available against the applicant. He relies upon the reported cases of **2024 SCMR 934** and **2025 SCMR 721**.

3. Learned Additional Prosecutor General, however, opposes the bail contending that the case laws relied by learned Counsel for the applicant do not pertain to the present law of Sindh Control of Narcotic Substances Act; however, the admits that the element of 161, Cr.P.C. statements is present on record.

4. Having heard the learned Counsels and gone through the record, the deviation and violation of Section 17(1) and (2) otherwise present, the contradiction between the FIR and the record as to the sample obtained bearing from the record and along with non-presence of CRO provides the applicant ground for further enquiry, and accordingly bail application stands **allowed**, and the applicant is admitted to post-arrest bail against the surety of Rs.1,00,000/- (*Rupees one lac*) and the P.R. bond in the like amount to the satisfaction of the learned trial Court.

The bail application stands **disposed of** in the above terms.

J U D G E

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Abdul Basit