

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**

**Cr. B.A. No.191 of 2026**  
(Muhammad Hassan vs. The State)

For hearing of bail application

Date of hearing

& order **19.05.2026**

Mr. Hafiz Maqsood Ahmed, advocate for applicant

Mr. Mushraf Azhar, Special Prosecutor, ANF

**ORDER**

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**Muhammad Iqbal Kalhoro, J:-** Applicant is seeking post arrest bail in a case bearing Crime No.63/2024, registered at Police Station ANF Clifton, Karachi, u/s 6, 7, 9(2(7) CNS Act, 1997, by means of this application.

2. On 10.12.2024 applicant was arrested from Jinnah International Airport Karachi, where he was available to travel in a flight bound for Saudi Arabia. From his traveling bag 03 kilograms of ice was allegedly recovered. Hence, he was booked in the present case.

3. Applicant's counsel has argued that Duty Officer, namely, Rana Maroof is not made a witness; the alleged incident took place in the busy place viz. Jinnah International Airport, Karachi, but no private person has been associated; videography of the recovery has not been done and the chemical report is faulty as only gross weight is shown without extracting the actual ice from the clothes in which it was concealed and the prosecution has examined only one witness so far. He has relied upon the case laws reported in **2026 SCMR 135, 2026 YLR 557, 2026 PCr. LJ 85, 2025 YLR 2764, 2025 YLR 1908** and **2026 SCMR 934.**

4. On the other hand, learned Special Prosecutor, ANF has opposed bail stating that direct recovery from the applicant was effected. In reply to a question as to why ANF has not examined all the prosecution witnesses up-till now, he has undertaken that within three months all the witnesses would be examined.

5. We have considered submissions of the parties and perused material available on record. In our tentative view, the grounds taken by the applicant for bail cannot be appreciated at bail stage requiring deeper appreciation of evidence. Prime facie, there are reasonable grounds to believe that applicant is involved in this case, as from him huge quantity of ice was recovered, which he was about to transport to Saudi Arabia,

which is not only supported by the statements of witnesses but also by the report of the Chemical Examiner confirming *prima facie* such fact. Not making a particular person as a witness cannot be made a ground for bail as it is the prerogative of the prosecution. Insofar as, videography is concerned, it appears that alleged incident happened in December, 2024, the case laws directing the police authorities to start recording video of the incident have come afterwards. Therefore, whether non-availability of videography adversely affects the prosecution case or not can only be appreciated by the trial Court after recording of evidence. In any case, tentative assessment of the material shows that applicant is *prima facie* involved in this case; hence, no case for concession of bail is made out. Accordingly, this bail application is dismissed. However, learned trial court is directed to expedite the trial and conclude the same within a period of 03 months, after which, in any case, the applicant would be at liberty to repeat application for the same relief, which, if filed, shall be decided on its own merits.

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

JUDGE

JUDGE

Rafiq/PA.