

before the registration of the FIR and that the recovery proceedings were not videographed despite the requirement contained in Section 17(2) of the Sindh Control of Narcotic Substances Act, 2024. He further submitted that no independent mashirs were associated with the alleged recovery, rendering the prosecution's version doubtful. Learned counsel also challenged the competency of the complainant to register the FIR and maintained that the prosecution's case rests solely upon the testimony of police officials. On these and other grounds, it was prayed that the applicant be admitted to post-arrest bail.

The learned Sessions Judge, Naushahro Feroze, vide order dated 23.12.2025, declined the concession of bail. The Court observed that 9 kilograms of charas had been recovered from the possession of the applicant and that the chemical examination report supported the prosecution case. The Court further held that the offence falls within the prohibitory clause of the law, that Section 103 Cr.P.C. was not attracted in the circumstances of the case, and that the requirement of videography under Section 17(2) of the Act was not applicable as the recovery was effected during routine checking rather than a planned operation. Finding no mala fide on the part of the police officials and sufficient material connecting the applicant with the alleged offence, the learned trial Court dismissed the post-arrest bail application.

We have carefully considered the submissions advanced by the learned counsel for the parties and have examined the material available on record.

However, it has been brought to the notice of this Court that the trial is substantially underway and only a few prosecution witnesses remain to be examined. The learned trial Court is, therefore, directed to conclude the prosecution evidence expeditiously and preferably within one month from the receipt of this order.

In the event the trial is not concluded, or the remaining prosecution witnesses are not examined within the stipulated period for reasons not attributable to the applicant, he shall be at

liberty to file a fresh bail application on the ground of delay in conclusion of trial, and such application shall be decided strictly in accordance with law without being influenced by the observations made herein.

Without touching the merits of the case, the captioned bail application stands disposed of in the above terms.

The office shall transmit a copy of this order to the learned trial Court for information and compliance.

JUDGE

JUDGE

Ahmad