

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

Cr. Bail Appl.No.653 of 2026

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|------|-----------------------------------|
| Date | Order with signature of the Judge |
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Present:

Mr. Justice Muhammad Iqbal Kalhoro.

Mr. Justice Khalid Hussain Shahani.

Hazrat Hussain

.....Vs.

The State

16.04.2026.

Mr. Rehman Ghani, Advocate for applicant

Mr. Musharaf Azhar, Special Prosecutor ANF

ORDER

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MUHAMMAD IQBAL KALHORO J: Applicant was arrested by ANF on 08.12.2022 from Jinnah International Airport Departure lounge, Karachi and from his luggage allegedly 7.5 K.Gs of Ice was recovered, hence he was booked in FIR bearing Cr. No.95/2022 U/s 6, 9(2) CNS Amended Act, 2022 of P.S. ANF-II, Karachi.

2. Learned counsel for applicant has applied for bail on the ground that although the case was concluded and posted for judgment but meanwhile prosecution filed an application for referring the case property to Chemical Examiner for a fresh report and determination of actual quantity of Ice in the bottles in which they were allegedly found on the day of incident. According to him since the application has been allowed and the case has been reopened, it will take considerable time, therefore, applicant is entitled to concession of bail on account of long incarceration.

3. On the other hand, learned Special Prosecutor ANF has opposed bail by pointing to recovery of huge quantity of Ice from the applicant.

4. We have considered pleas of the respective parties, and do not agree with contention of learned defence counsel for the reason that the order passed by the trial court referring the case property to Chemical Examiner for a second report was not challenged by the applicant and delay, if any caused by it, therefore, cannot be made a basis by him to seek bail. But, in any case, it is only the fresh report which is to be submitted, otherwise entire evidence has already been recorded and the case is likely to be decided in near future. It is settled principle of law that when the case has reached final stage, post arrest bail cannot be considered. We, therefore, while dismissing the bail application direct the trial court to decide the case in two months without fail.

The Cr. Bail Application is disposed of.

The observations made hereinabove are tentative in nature and would not prejudice case of either party at trial.

JUDGE

JUDGE

