

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.

Cr. Bail Appl No.848 of 2018

Date	Order with signature of Judge
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For hearing of Bail Application.

18.09.2018.

Mr. Jamroz Khan Afridi, Advocate for the applicant
 Mr. Ali Haider Salim, DPG

By this order, we dispose of above bail application, whereby the applicants are seeking post arrest bail in case bearing crime No.254/2017, U/s 365-A/34 PPC, R/W 7 ATA, registered with Police Station Liaquatabad, Karachi.

Applicants have been nominated by the complainant Mrs. Saba in the said FIR registered on **25.11.2017** with the allegations that they along with other accomplices abducted her husband namely Shahid from his house for his ransom on **22.10.2017** at about 0430 hours. During the investigation, the FIR was disposed of under 'A' Class, as in the further statement, the complainant disclosed that her husband was taken away by the Rangers but since the applicants and other co-accused used to demand money from her for getting her husband released, she nominated them in the FIR. However, when such report was submitted, the trial Court, did not accept the same and ordered for reinvestigation and only in the reinvestigation the applicants were found involved in the crime and hence challan against them was submitted.

During the arguments, we have asked learned DPG, who has opposed grant of bail to the applicants that what further evidence was collected against the applicants in the reinvestigation. In reply, he has submitted that statement of abductee U/s 161 Cr. P.C. was recorded in which he has implicated the applicants. We have perused 161 Cr. P.C. statement of the abductee, which was recorded on **28.02.2018** after more than 4 months of the incident, he has stated that he was taken away by 8 or 10 persons, who used to torture and ask him to withdraw the petition and then on **03.02.2018**, he was released by them but was arrested by the police in a case of narcotics. He has alleged that the applicants prior to this incident used to pressurize him and get money from him on many excuses. We in the facts and circumstances of the case are of the view that case against the applicant is of further inquiry and it is yet to be determined at the trial, whether the applicants had kidnaped abductee and

such kidnaping was for ransom. Accordingly, this bail application is allowed and the applicants are admitted to bail subject to their furnishing a solvent surety in the sum of Rs.200,000/ (Rupees two hundred thousand only) each with P.R. bonds in the like amount to be executed to the satisfaction of the trial Court.

The bail application is disposed of in the above terms; the findings made hereinabove are tentative in nature and would not prejudice case of either party at trial.

J U D G E

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Rafiq/P.A.