

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.

Cr. Bail Appl No.1141 of 2020
Muhammad NadeemVs.....The State

05.10.2020

Mr. Humayhoon Rind Baloch, advocate for applicant
Mr. Abrar Ali Khichi, Addl: P.G. Sindh

ORDER

As per brief facts, police of P.S. Model Police Station Liaquatabad, Karachi while on patrol duty found 80/90 people offering prayer in Ghousia Masjid, Liaquatabad, Karachi, in violation of lockdown and Standard Operating Procedures (SOPs) enforced in the wake of (Covid-19). After the prayer, seeing the police, who remained there to arrest them, Pesh Imam provoked the Namazis/people to attack them. As such, they started pelting the police officials with stones injuring three (03) of them. In FIR, thirteen (13) accused have been nominated including Pesh Imam but 07 of them have been released in investigation under Section 169 Cr. P.C. for want of sufficient evidence.

2. Applicant was not arrested from the spot nor identified and his name was included in the case on the basis of intelligent report and was subsequently arrested. However, in the investigation, his identification parade to establish his identity was not held. Further, at the spot many other people were present and allegedly had thrown stones to the police party. Therefore, it is yet to be seen as to who among them is responsible for causing injuries to the members of police party. Learned DPG has opposed bail but has not denied that except this case no other case of like nature or otherwise has ever been registered against the applicant and that since co-accused have been granted bail, the rule of consistency is applicable in the case of applicant. In view of above, this bail application is allowed, and the applicant is granted bail subject to his furnishing a solvent surety in the sum of Rs.100,000/ (Rupees one hundred thousand only) with P.R. bond in the like amount to be executed to the satisfaction of the trial Court.

3. 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/P.A.