

**IN THE HIGH COURT OF SINDH AT KARACHI**  
Criminal Bail Application No.2911 of 2024

**Present:**

**Justice Zafar Ahmed Rajput**  
**Justice Tasneem Sultana**

**Applicant** : Uzair ul Hassan @ Battery s/o  
 Muhammad Laiq ul Hassan  
 through Mr. Muhammad Ramzan  
 Khan, Advocate

**Respondent** : The State, through Mr. Abrar Ali  
 Khichi, Additional Prosecutor General,  
 Sindh along with P.I Tariq Qayyum,  
 SIU/CIA.

**Date of hearing** : 04-03-2025  
**Date of order** : 04-03-2025

**ORDER**

**TASNEEM SULTANA, J.** Through this bail application, applicant/accused, namely, Uzair ul Hassan @ Battery s/o Muhammad Laiq ul Hassan seeks post-arrest bail in Crime No.307 of 2024, registered at P.S Super Market, Karachi under Sections 384, 385/34 P.P.C., 25-D Telegraph Act, read with section 7 of the Anti-Terrorism Act, 1997 ("**Act of 1997**").

2. Precisely facts of the prosecution case are that, on 22.06.2024, complainant Muhammad Ismail received calls through whatsapp No. 0319-7598214 of one Shakeel alias Kala belongs to a political party demanding extortion money to the tune of Rs.10,00,000/- (Rupees Ten lacs) in the name of party fund. Again on 23.06.2023, he received repeated calls whereby the said accused extended threats for his and his children's murder, hence this FIR.

3. Learned counsel for applicant has mainly contended that the applicant is innocent and has falsely been implicated in the present case by the complainant with collusion of police party; that the applicant is not nominated in the FIR; that according to the facts of FIR the alleged incident was taken place on the 22-06-2024 but complainant lodged the FIR with

delay of two days on 24-06-2024; that as per contents of charge sheet the mobile phone, which was used for demanding of Bhatta was recovered from the applicant/accused and its forensic report has yet not received, which shows that the alleged section 384 & 385 does not attract to the applicant; that no incriminating article was recovered from the possession of applicant; hence the guilt of accused calls for further inquiry.

4. Conversely, learned Additional P.G. Sindh, has vehemently opposed the instant bail application. He has maintained that the prosecution has no ill-will or personal grudge to implicate the applicant falsely, therefore, the applicant is not entitled to the concession of bail.

5. We have heard the learned counsel for the parties, and perused the record with their assistance.

6. Perusal of record reflects that complainant through Whatsapp No. 0319-7598214 received threats of dire consequences and caller demanded extortion money to the tune of Rs.10,00,000/= on the pretext of party fund. During investigation, it appears that the SIM used for making telephone calls belonged to applicant; consequently, on 06.07.2024 he was arrested and iPhone alongwith SIM used for making telephone calls to the complainant was recovered from his personal possession. The record further reveals that seized iPhone was got verified from technical branch and it was confirmed that same was used for commission of present crime. It is further transpired that images of whatsapp call history is also part of record. Applicant has been charged for attempting extortion of money and extending threats to commit murder of complainant and his children, is the heinous offence falling under section 6(K) of Anti-Terrorism Act, 1997. Hence, it manifests from the record that extortion money was demanded telephonically from the complainant, which in general parlance is called "Bhatta". It may be added that there is no mala-fide intent or motive found on the part of complainant, thus sufficient prima facie material is available against the applicant, which could connect him in commission of alleged offence, which falls within prohibitory clause of section 497 Cr.P.C, being punishable upto life imprisonment. No cogent material was available on record to make present case one of further enquiry. In these

circumstances, applicant is not entitled for concession of bail. Accordingly, the bail application is dismissed.

7. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the Trial Court while deciding the case of applicant on merits.

8. Above are the detailed reasons of our short order dated 04.03.2025.

JUDGE

JUDGE

Faheem/PA