

IN THE HIGH COURT OF SINDH AT KARACHI

Criminal Bail Application No.2857 of 2024

Applicant : Zainul Abideen S/o Muhammad Ilyas
through Mr. Nehal Khan Lashari,
Advocate

Complainant : Present in person.

Respondent : The State
Ms. Rubina Qadiq, A.P.G.

Date of hearing : 25.03.2025

Date of order : 25.03.2025

ORDER

KHALID HUSSAIN SHAHANI, J. -- Through this Bail Application, applicant/accused seeks pre-arrest bail in Crime No.396/2023 for the offence under Sections 392/397/34 PPC registered at P.S. Jackson, Karachi, after his bail plea declined by the learned XIth Addl. Sessions Judge, Karachi West vide order dated 07.11.2024.

2. Learned counsel for the Applicant at the very outset submits that name of the Applicant not appears in the FIR ; besides, no identification parade held; the complainant has sworn his affidavit exonerating the applicant from commission of the alleged offence and also raised no objection to the grant of bail to the applicant.

3. Learned Additional P. G. Sindh has reluctantly concedes that no identification parade of the applicant was held before the competent court of law.

4. Record reflects that no identification parade of the applicant has been held. Complainant has exonerated the applicant from commission of the alleged offence. He is present in person. On inquiry supports the averments of affidavit place on record with specific assertion that applicant was not the person, who committed robbery from him. Such facts have make the case of the applicant one of further inquiry as envisaged under Section 497(ii) Cr.P.C.

5. Given the above, the applicant is admitted to post-arrest bail subject to furnishing solvent surety in the sum of Rs.50,000/- (Rupees Fifty Thousand only) and P.R. bond in the like amount to the satisfaction of the learned trial Court.

6. The observations made hereinabove are tentative in nature and shall not prejudice the trial Court in deciding the matter on merits..

JUDGE

Shahbaz/PA