

**ORDER SHEET**  
**HIGH COURT OF SINDH AT KARACHI**  
**Cr. Bail Application No.1953 of 2024.**

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

**03.10.2024.**

Mr. Nadeem Ahmed Azar, Advocate for the Applicant.  
Mr. Muhammad Iqbal Awan, Addl. Prosecutor General  
SIP Javed, PS Zaman Town, Korangi Karachi.

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**Mohammad Karim Khan Agha, J:-** Applicant Kashif Ahmed was booked in FIR No.1167/2023 under Section 397/412/34 PPC registered at PS Zaman Town, Karachi. He applied for post arrest bail before Court of Additional Sessions Judge-III (East) Karachi which was declined vide order dated 30.10.2023. Hence the applicant approached this Court for post arrest bail.

2. Brief facts of the case as per FIR are that on 19.09.2023 complainant was going on his motorcycle to do some personal work, when he reached at Taj Colony near Banis Billi, Korangi 3½ Karachi he was intercepted by one motorcycle on which three persons were sitting and on show of weapons snatched motorcycle, cash amount and mobile phone from the complainant and then make their escape good from the scene, hence the aforesaid FIR was lodged against unknown persons.

3. I have heard learned counsel for the applicant and learned Addl. Prosecutor General Sindh who is also representing the complainant and perused the record.

4. The maximum sentence available for the offence under which the applicant has been charged is not more than 07 years imprisonment and the general rule is that bail should be granted in such like cases unless exceptional circumstances exist. There is no exceptional circumstance existing in this case in order to decline the bail. It is also noted that the aforesaid FIR was lodged after a delay of 21 days. Applicant has also not been put before the

Identification Parade which makes this case of further inquiry in respect of identification. Applicant has been in jail for about one year and yet charge has only been framed against him and 08 PWs are yet to give their evidence.

5. Based on the above discussion the applicant **Kashif Ahmed s/o Shabbir Ahmed** is admitted to post arrest bail subject to furnishing his solvent surety in the sum of Rs.1,00,000/- (Rupees One Lac) and PR Bond in the like amount to the satisfaction of the Nazir of the concerned trial Court.

6. It is made clear that this order is only after a tentative assessment of the evidence available on record and would have no bearing on the trial of the applicant which shall be decided by the concerned trial Court based on the evidence placed before it.

7. The instant criminal bail application stands disposed of in the above terms.

**JUDGE**

**MAK/PS**