

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Cr. Bail Appl. No.2759 of 2023

Date

Order with signature of Judges

For hearing of bail application.

20.02.2024.

Mr. Zia ul Haq, Advocate for Applicants.

Mr. Abrar Ali Khichi, Addl. Prosecutor General Sindh.

Applicants Aslam and Ghulam Hussain are facing trial before the Vth Additional Sessions Judge (Central) Karachi in respect of Crime No.268 of 2023 u/s.392/397/34 PPC registered at PS NKIA, Karachi. They applied for post arrest bail which was declined by the Vth Additional Sessions Judge (Central) Karachi vide order dated 06.09.2023. Hence they have approached this Court for their post-arrest bail.

2. Brief facts of the case are that the complainant left his house to go to work when he was intercepted by two persons on a motorcycle and by showing weapons robbed the complainant by snatching his mobile phone, Rs.13000/- CNIC and ATM card and then attempted to make their escape good. However, on hue and cry of the complainant one police mobile chased the applicants/accused and apprehended them. When the applicants were arrested they disclosed their names as Aslam and Ghulam Hussain hence the aforesaid FIR was lodged against the applicants.

3. I have heard the learned counsel for the parties and perused the record.

4. The applicants both are named in the FIR with a specific role of robbing the complainant. Both the applicants were arrested on the spot and stolen items of the complainant were recovered from them as well as one pistol and motorcycle which they were riding. The police official who arrested and prepared mashirnama and made recovery have no ill will and enmity towards the applicants and had no reason to implicate them in a false case and their Section 161 Cr.P.C. statement fully implicate the applicants in the offence.

5. Based on the above discussion, I find that both the applicants are connected to the commission of offences so charged and keeping in view that the street crimes is on the rise I hereby dismissed the post arrest bail application of the applicants **Aslam s/o of Makhan and Ghulam Hussain**.

6. This order is based only on a tentative assessment of the evidence and the learned trial Court shall proceed and decide the case on merits within three (04) months of the date of this order. Copy of this order shall be sent to Vth Additional Sessions Judge (Central) Karachi for compliance.

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

JUDGE