

Order Sheet
**IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD**

Cr. Bail Appl. No. S- 820 of 2025
[Danish v. The State]

Mr. Ahmed Nawaz Chang, Advocate for applicant
Mr. Saleem Raza Laghari, Advocate for Complainant
Mr. Altaf Hussain Khokhar, A.P.G.

Date of Hearing : 16.02.2026

Date of Announcement :

ORDER

Omar Sial, J. - Danish Korai seeks post-arrest bail in crime number 34 of 2025, registered under sections 395, 504, 337-H(ii), and 120-B P.P.C. at the Daulatpur police station. The F.I.R. was registered on 09.03.2025 on a complaint by Javed Ali Leghari, who reported an incident that occurred on the same date. Leghari stated that he was at his shop with his workers, Wajid Hussain and Bashir Ahmed, when six unknown armed men arrived on two motorcycles. Two stood guard outside the shop while the remaining four entered and took Rs. 1.6 million, mobile phones, and cheque books. One shot was fired inside the shop, but it did not injure anyone. The robbers then left the scene. The robbers, including the applicant, were identified in CCTV footage taken from the area. On 12.03.2025, the complainant recorded a statement in which he identified all the robbers. The applicant was arrested on 13.02.2025. On 19.03.2025, Rs. 17,000 and the complainant's national identity card were recovered from the applicant. Further recoveries were also made from the other arrested accused. On 21.03.2025, a pistol was also recovered on the applicant's lead.

2. The applicants' learned counsel has argued that Danish has been falsely implicated in the case; the applicant was not named in the F.I.R.; no identification parade was held; the punishment for the alleged offences does not fall within the prohibitory clause of section 497 Cr.P.C.; and recoveries have been effected after a substantial time. The complainant's learned counsel submitted that the CCTV footage clearly shows the applicant and others during the incident.

3. I have heard the applicant's and the complainant's learned counsel and the learned Assistant Prosecutor General.

4. It is an admitted fact that an identification parade was not held and that no forensic report is available for the CCTV footage. The complainant, who was present in court, confirmed that one of the boys seen in the footage is indeed the applicant. The two workers, who were in the shop when the robbery occurred, also support his stance and have promptly recorded their Section 161 Cr.P.C. statements. The impact of not holding an identification parade on the prosecution's case will be determined by the learned trial court after it has had an opportunity to review the evidence produced. At this stage, however, in light of the complainant's confirmation, I am not inclined to grant any concession to the applicant on this account.

5. It is not unusual that when a robbery is committed, the robbers are not identified. The complainant's bona fides can be inferred from the fact that the robbers were identified only after the CCTV footage was reviewed. Had he any grudge against the applicant, there was nothing stopping him from naming him in the F.I.R. No *mala fide* for the identification has been argued by the counsel, nor does any seem to appear on the face of the record. The applicant's counsel is correct that the punishment for the offences with which the applicant is charged falls within the non-prohibitory clause of section 497 Cr.P.C. However, following the principles in *Tariq Bashir and 5 others v. The State* (PLD 1995 SC 34), I have looked at the surging rate of robberies/thefts in the province to deny the applicant bail.

6. Strong electronic evidence exists against the applicant to establish his nexus with the crime. The bail application is dismissed.

JUDGE