

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Criminal Bail Application No.65 of 2024
(Wajid Ali v. The State)

Date	Order with signature of Judge
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For hearing of bail application

14.05.2024

Syed Shahzad Nawab, advocate for the applicant
Syed Shahzeel Hassan, advocate for the complainant
Mr. Mumtaz Ali Shah, Assistant Prosecutor General Sindh

It is alleged that the applicant by impersonating him as a Doctor injected something in both arms of complainant Irfan by using a syringe; consequently he was admitted to Agha Khan Hospital in serious condition, yet one of his arms sustained impairment; on asking to bear medical expenses complainant party was insulted and threatened of murder by him, for which the present case was registered.

The applicant having been refused bail by learned 1st Additional Sessions Judge/MCTC, Malir, Karachi, has sought the same from this Court by way of instant bail application under Section 498 Cr.P.C.

It is contended by learned counsel for the applicant that the applicant is innocent and has been involved in this falsely by the complainant party otherwise he has nothing to do with the alleged incident, therefore, he is entitled to be admitted to pre-arrest bail on the point of further inquiry and malafide, which is opposed by learned Assistant PG of the State and learned counsel for the complainant by contending that the applicant was having no right to run a clinic being an unauthorized person.

Heard arguments and perused the record.

The FIR of the incident has been lodged with a delay of about four months; such a delay could not be overlooked. Nothing has been brought on

record which may suggest that the clinic where the alleged incident took^[2] place was owned by the applicant. No penal section about the impairment of one of the arms of the complainant has been applied in the interim charge sheet by the police. The applicant has joined the trial and there is no allegation of misusing the concession of interim pre-arrest bail on his part. In these circumstances, a case for grant of pre-arrest bail to the applicant on point of further inquiry and malafide is made out.

Under the given circumstances, the interim pre-arrest bail already granted to the applicant is confirmed on the same terms and conditions.

Instant bail application is disposed of accordingly.

J U D G E

Nadir