

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Cr. Bail Application No.836 of 2020

DATE ORDER WITH SIGNATURE(S) OF JUDGE(S)

For hearing of bail application

Waqar Ahmed & others ..Vs... The State

25.06.2020

Mr. S. Gulzar Hussain Sheerazi, advocate for the
applicants.

Ms. Rahat Ahsan, Addl.P.G. Sindh.

-.-.-.-.-

1. Through instant bail application, applicants/accused seek bail after arrest in **FIR No.342/2020**, under **Section 147, 148, 149, 324, 337-A(i) PPC** registered at police station Shah Latif Town Karachi. Earlier the applicants/accused approached the IInd Addl. Sessions Judge, Malir, Karachi for post arrest bail, which was declined vide order dated **14.05.2020**. Thereafter, the applicants approached this Court for grant of post arrest bail.

2. The facts are mentioned in the FIR, therefore, not needed to be reproduced herein.

3. Learned counsel for the applicant contended that applicants/accused are innocent and have falsely been implicated in this case with malafide intention. He further contended that no recovery has been effected from the possession of accused and there is a civil nature dispute between the parties and there is no previous criminal record available against the present accused. He further contended that FIR was lodged with delay of one day, therefore, matter requires further inquiry.

4. Learned Addl. P.G opposed the bail application contending that injury has been caused to the victim.

5. I have heard the arguments and perused the record. After the arguments the following proposition has surfaced.

- i. That till date the prosecution has not been able to even recovered the pistol which is said to have been used in

the incident and that belongs to the complainant himself. Despite more than three months have been gone there is no final medical report.

- ii. All the injuries alleged to have been inflicted on the victim are on the knee and leg which are not vital part of the body.
- iii. FIR shows two victims and in the challan there are three injured. However, one of the injured has clearly denied about the nature of incident and the injury said to have been caused.
- iv. Applicants/accused are behind the bars for more than three month and are no more required for further investigation; therefore, no useful purpose would be served by keeping the applicants behind the bars for indefinite period.

6. In view of the above, the applicant / accused is admitted to bail subject to furnishing solvent surety in the sum of **Rs.1,00,000/-** each and P.R bond in the like amount to the satisfaction of trial Court.

7. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the trial Court while deciding the case of the applicant/accused on merits.

JUDGE

