

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Criminal Bail Application No. 623 of 2022

Applicant : Abdul Rehman s/o Akbar Khan, through
Mr. Bahri Kamal, advocate

Respondent : The State, through Ms. Rahat Ehsan, Additional
Prosecutor General.

Date of hearing : 01.06.2022
Date of order : 01.06.2022

ORDER

ZAFAR AHMED RAJPUT, J:- Applicant/accused Abdul Rehman s/o Akbar Khan through instant criminal bail application seeks post-arrest bail in Crime No. 41/2022, registered at P.S. SITE-B, Karachi under Section 393, 397, 34 P.P.C. His earlier application for the same relief bearing No. 1205/2022 was heard and dismissed by the Court of IInd Additional Sessions Judge Karachi-West vide order, dated 17.03.2021.

2. It is alleged that on 09.02.2022 at 1530 hours at near Kaka Compound, New Labour Square, S.I.T.E. Area, Karachi three unknown persons, duly armed with pistols, attempted to rob mobile phone from complainant Ali Haider Khaskheli, when Asif Khan, guard posted at Kaka Compound, fired at them which hit one of the accused so also a passerby lady, whereafter the accused with the injured companion fled from the place of occurrence.

3. After hearing learned counsel for the parties and perusing the material available on record, it appears that the F.I.R. was lodged against the un-known accused persons. The applicant was arrested on 26.02.2022 by the police of P.S. SITE-A Karachi in Crime/ F.I.R. No. 131/2022, registered under section 23(1)(a) of Sindh Arms Act, 2013 and during interrogation he confessed before police about his involvement in the instant crime, whereafter on 01.03.2022 his identification parade was conducted before concerned Judicial Magistrate through witnesses, wherein only eye-witness Asif Khan identified him to be one of the

accused persons who attempted to rob complainant, while the complainant as well as injured lady did not identify him. Hence, his guilt is yet to be established at the trial.

4. Keeping in view the circumstances discussed above, it is a case of further inquiry as contemplated under sub-section (2) of Section 497, Cr. P.C. Accordingly, I admit the applicant to bail in aforesaid crime/offence subject to furnishing by him solvent surety in the sum of Rs. 1,00,000/- (*Rupees One Lac only*) and PR bond in the like amount to the satisfaction of the trial Court.

5. Needless to mention here that if the applicant in any manner tries to misuse the concession of bail, it would be open for the trial Court to cancel his bail after issuing him the requisite notice.

JUDGE

Athar Zai