

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI

**CR. BAIL APPLICATION NO.1089 & 1398 OF 2022**

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Date                                      Order with signature of Judge  
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CR. B.A. NO.1089/2022:  
For hearing of bail application.

CR. B.A. NO.1398/2022:  
1.     For order on MA No.8623/2022.  
2.     For hearing of bail application.

**16.09.2022**

Mr. Muhbat Ali Ujjan advocate for applicants.

Ms. Seema Zaidi, APG.

Complainant present.

**ORDER**

Since matter was adjourned for today but counsel for complainant failed to appear and Mr. Muhammad Saif advocate is holding brief on his behalf in B.A. No.1089/2022.

2.           Applicants have been arraigned in case of abduction and rape committed with Miss. Maria Abid aged about 16 years. Statement of victim was recorded wherein she alleged that both applicants/accused persons confined her for a period of 10 months and they were committing zina during this period.

3.           Besides, case of the applicants is that Maria Abid contracted married with applicant Ansar Abbas at her own freewill; applicant Ansar Abbas filed Writ Petition No.2779-H/2022 before Multan Bench of Lahore High Court with regard to recovery of victim Maria Abid; accordingly police officials appeared and filed 164 CrPC statement of Maria recorded at Karachi contending therein that she

was in illegal confinement and applicants abducted her, accordingly that petition was dismissed. Learned counsel for applicants contends that applicants have been implicated falsely, DNA report is negative and such fact is not disputed by Mst. Maria; that two petitions filed by Mst. Maria herself.

4. Whereas W.P. No.681/2022 filed by Mst. Maria before Multan Bench of Lahore High Court reflects that she appeared with the statement that she has contracted marriage with Ansar Abbas on 23.06.2021 and residing with him at her freewill and that protection may be provided. Accordingly that petition was disposed of. In similar fashion Mst. Maria filed miscellaneous petition before Ex-officio Justice of Peace on 24.06.2021 wherein she sought direction to the SHO regarding illegal harassment, accordingly with direction that on the behest of private respondents police officials shall not cause harassment, petition was disposed of.

5. Record shows that two petitions filed by Mst. Maria are not disputed and on the contrary she contended that she was intoxicated and was not in senses. Alleged victim travelled from Karachi to Multan and Lahore and remained with applicants for around nine months, nowhere she made any hue and cry with regard to her abduction, as well as she appeared before various *fora* with the plea that she has contracted marriage. Considering both stories in juxtaposition apparently this is a case of further enquiry and malafides and ulterior motives cannot be ruled out hence pre arrest bail granted to applicant Ansar Abbas is confirmed on same terms and conditions and post arrest bail is granted to applicant Riaz Khan

subject to his furnishing surety in the sum of Rs.50,000/- and PR bond in the like amount to the satisfaction of the Nazir of this Court.

Office to place copy of this order in connected Bail Application.

**J U D G E**