

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH KARACHI**

Crl. Bail Application No. 877 of 2022

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<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGES</b>
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For hearing of bail application.

**6<sup>th</sup> June, 2022**

Mr. Ghulam Muhammad Khan Jadoon, Advocate for applicant.  
Mr. Talib Ali Memon, APG a/w ASI Nazeer Hussain, I.O. of the case.

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Omar Sial, J: Sufiyan has sought post arrest bail in crime number 1356 of 2021 registered under sections 397 and 34 P.P.C. at the KIA police station in Karachi. Earlier, his application seeking bail was dismissed by the learned 12<sup>th</sup> Additional Sessions Judge, Karachi East on 14.04.2022.

2. A man by the name of Muhammad Faraz was on his way to visit his sister on 25.09.2021 when he was intercepted by two persons on a motorcycle who had pistols in their hands and who deprived Faraz of Rs. 2000 and his mobile phone. A nearby police party who became aware of the mugging which had taken place chased the motorcycle and managed to apprehend both the robbers along with the valuables they had stolen and the pistols.

3. Learned counsel for the applicant has argued that the applicant has been falsely implicated and that the recovered pistol was sent after 3 days of the incident to the ballistics department. He also argued that there was a delay of one hour in the lodging of the F.I.R.; that the applicant is a hafiz-e-Quran and has been behind bars for 7 months. Learned APG has supported the bail dismissal order.

4. I have heard the learned counsel as well as the learned APG.

5. The applicant was arrested on the spot soon after having robbed a private person. The complainant is an eye witness and the cash and phone robbed from him was also recovered from the possession of the applicant. The learned counsel has failed to explain as to why the complainant or the police would falsely implicate the applicant. The F.I.R. has been lodged with promptitude and what will be the impact of sending the recovered weapon to the ballistics with a

delay of a few days will have to be decided by the learned trial court after evidence is led at trial. Upon a tentative assessment, the prosecution appears to have reasonable material in its possession to prima facie connect the applicant with the crime he is accused of. Accordingly, his bail application is dismissed.

JUDGE