

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

Cr. Bail Application No. 2060 of 2021

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**DATE**

**ORDER WITH SIGNATURE OF JUDGES**

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1. For orders on MA No.12428/2021
2. For hearing of bail application.

**24-11-2021**

Mr. Iqbal Shah, Advocate for applicant.  
Mr. Muntazir Mehdi, DPG a/w SIP Aqeel Ahmed, I.O. of the case.

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**Omar Sial, J:** Allah Rakha has sought post arrest bail in crime number 633 of 2021 registered under section 365-B P.P.C. at the Defence police station. Earlier, his application seeking bail was dismissed by the learned 3<sup>rd</sup> Additional Sessions Judge, Karachi South on 12-10-2021.

2. Facts of the case are that the aforementioned F.I.R. was lodged by complainant Ali Nawaz on 31-7-2021 reporting an incident that had occurred on 25-2-2021. He recorded that on the day of incident he along with his daughter Bakhtawar Bibi went to the office of Door Stamp Domestic Service to seek work for Bakhtawar. He left his daughter there. After a few days he contacted the said office and he was told that the applicant had taken her daughter soon after he left her there. On 30.7.2021 while he was in search of his daughter near Domestic Service office, he found the applicant and apprehended him.

3. I have heard the learned counsel for the applicant as well as the learned Deputy Prosecutor General and perused the record with their able assistance. My observations and findings are as follows.

4. At the very outset the I.O. of the case informed the Court that no evidence had been found of the applicant's involvement in the case and that according to his investigation the alleged abductee had started work at another place and had disappeared at night from there. Further doubt is created in the case on the ground that the F.I.R. has been registered after 5 months of the alleged disappearance of Bakhtawar and there is nothing on record to show why. The I.O. has further submitted that after registering the case, the complainant himself

had moved to the Punjab and since that time has been incommunicado. The applicant co-operated with the investigating officer during the investigation and is now no more required by him.

5. The truth of the matter will be decided at trial however in view of the above observations, doubt is created in the applicant's involvement in the matter and thus making the case against him one of further inquiry. The applicant is therefore admitted to post arrest bail subject to his furnishing a solvent surety in the sum of Rs. 50,000 and a P.R. Bond in the like amount to the satisfaction of the learned trial court.

JUDGE