

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

Crl. Bail Application No. 1477 of 2020

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Date                      Order with signature of Judge

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For hearing of bail application:

**2<sup>nd</sup> March, 2021**

Mr. Saeed Ahmed Awan, Advocate for applicant.  
Mr. Talib Ali Memon, APG a/w ASI Izhar, I.O. of the case.

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Omar Sial, J: Muhammad Asghar has sought post arrest bail in crime number 351 of 2020 registered under section 397 and 34 P.P.C. at the Sir Syed police station. Earlier, his application seeking bail was dismissed by the learned 2<sup>nd</sup> Additional Sessions Judge, Karachi Central on 17-9-2020.

2. A background to the case is that the aforementioned F.I.R. was lodged by Sultan Ahmed on 3-8-2020 narrating an incident that had occurred earlier that day. He recorded that he sells ice cream on the street and while he was at work 2 boys came on a motorcycle and on the show of weapons took away Rs. 7500 and two mobile phones from him.

3. I have heard the learned counsel for the applicant as well as the learned APG. My observations are as follows.

4. It is the prosecution's case that the applicant was arrested on 4-8-2020 while driving a stolen motorcycle and carrying an unlicensed weapon. While he was in custody in those crimes he confessed that he had also robbed Sultan Ahmed the previous day. No recovery has been effected from the applicant to date nor was an identification parade held for Sultan Ahmed to confirm that the applicant was the same boy who had also robbed him the previous day. It is pertinent to mention that the police claim that one of the two robbed phones was recovered from the possession of the applicant however the details of this recovered phone are vague. The applicant has been granted bail in both the cases i.e. for the motorcycle and the unlicensed weapon.

5. In view of the above, on balance, the case of the applicant appears to be one of further inquiry.
6. Above are the reasons for the short order dated 5.11.2020.

JUDGE