

IN THE HIGH COURT OF SINDH AT KARACHI

Present:

Mr. Justice Amjad Ali Sahito

Criminal Bail Application No.2411 of 2022

Applicant : Muhammad Ishaq Sheikh S/o Saqi Khan
Through Mr. Noor Hussain Jamali,
Advocate

Respondent : The State
Through Ms. Rahat Ahsan, Addl.
Prosecutor General, Sindh alongwith SIP
Muhammad Nasir

Date of hearing : 02.01.2023

Date of order : 02.01.2023

ORDER

AMJAD ALI SAHITO, J -- Through this Bail Application, applicant/accused seeks post-arrest bail in Crime No.910/2022 registered under Sections 397/394 PPC at PS NKIA, Karachi, after his bail plea has been declined by Addl. District & Sessions Judge-III, District Central, Karachi vide order dated 16.11.2022.

2. The details and particulars of the FIR are already available in bail application and the FIR, as such, need not to reproduce the same hereunder.

3. Learned counsel for the applicant/accused has mainly contended that the applicant/accused is innocent and has falsely been implicated in this case; that name of the applicant/accused does not transpire in the FIR and no specific role has been assigned against him; that prior to his arrest, an application was moved by the father of the applicant/accused to SSP (Complaint Cell) but subsequently after this application, he was booked in the said case. He lastly prays for grant of post-arrest bail to the applicant/accused.

4. On the other hand, learned Addl. P.G. has vehemently opposed for grant of post-arrest bail to the applicant/accused on the ground that the applicant/accused was arrested during snap

checking and the stolen vehicle was recovered from his possession as such sufficient material is available on record to connect the applicant/accused with the present offence.

5. I have heard the learned counsel for the parties and have gone through the material available on record.

6. Admittedly, the name of the applicant/accused does not find place in the FIR and no specific role has been assigned against him. However, at the time of his arrest during snap checking, the stolen vehicle was recovered from his possession. As such, *prima facie*, sufficient material is available on record to connect the applicant/accused with the commission of offence.

7. In view of the above, learned counsel for the applicant has failed to make out a case for grant of post-arrest bail. Accordingly, the instant Bail Application is dismissed. However, the learned trial Court is directed to expedite the matter and conclude the same within 60 days from the date of receipt of this order.

8. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the learned trial Court while deciding the case of the applicant on merits.

JUDGE

Kamran/PA