

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Crl. Bail Application No. 1146 of 2023.
Crl. Bail Application No. 96 of 2023

Date Order with signature of Judge

For hearing of bail application.

18th July 2023

Mr. Talha Samad advocate for the applicant/accused in Crl.
Bail Application No. 1146 of 2023.

Mr. Amanat Ali S. Magsi, advocate for applicant/accused
in Crl. Bail Application No. 96 of 2023.

Mr. Talib Ali Memon, APG.

Applicants/accused Raja Kashif and Allah Mir Khan have been arraigned in the murder of the deceased Gulzar Ali. Admittedly, except statement before the police, there is no iota of evidence against the applicants to connect them with the offence with which they are charged. Further statement was recorded at a belated stage wherein complainant has taken plea that accused Raja Kashif alongwith co-accused persons, took away the deceased in a car and subsequently threw him in a jungle; applicants are behind the bar since August 2021; only one witness has been examined; yet trial is to be concluded. Learned APG admits that except statement before the police, there is no iota of evidence against the applicants. However, he frankly concedes that such statement is inadmissible under Article 39 of Qanoon-e-Shahadat order 1984. Hence, applicants are admitted to post arrest bail subject to their furnishing solvent surety in the sum of Rs.100,000/- [Rupees One Hundred Thousand only] each and P.R bond in the like amount to the satisfaction of the trial Court.

SAJID

J U D G E