

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Criminal Bail Application No.887 of 2024
(Riaz Muhammad v. The State)

Date	Order with signature of Judge
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1. For orders on MA No.5314/24
2. For hearing of bail application

07.05.2024

Mr. Abdul Wahab, advocate for the applicant
Mr. Mumtaz Ali Shah, Assistant Prosecutor General Sindh

It is alleged that the applicant with the rest of the culprits robbed complainant Sikandar Ali and his witnesses of their belongings and then went away by taking with them rupees fifty lacs by break opening the locker of Alliance Chemical Factory, for which the present case was registered.

The applicant having been refused bail by learned VIIIth-Additional Sessions Judge, Malir, Karachi, has sought the same from this Court by way of instant bail application under Section 497 Cr.P.C.

Heard arguments and perused the record.

The name of the applicant does not appear in the FIR; he has been involved in the commission of the incident based on his admission to guilt before the police and recovery of one of the robbed cell phone from him; the cell phone is alleged by the applicant to have been foisted upon him by the police by arranging the same from market. The admission to the guilt by the applicant, if made, could hardly be used against him as evidence in terms of Article 39 of the Qanun-e-Shahadat Order, 1984. The case has finally been challaned and there is no likelihood of absconsion or tampering with the evidence on the part of the applicant. In these circumstances, a case for the release of the applicant on bail on point of further inquiry is made out.

Under the given circumstances, the applicant is admitted to bail subject to his furnishing surety in the sum of Rs.50,000/- (Rupees Fifty Thousand only) and P.R bond in the like amount to the satisfaction of the learned trial Court.

Instant bail application is disposed of accordingly.

J U D G E