

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Criminal Bail Application No. 437 of 2024
(*Dilawar v. The State*)

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| Date | Order with signature of Judge |
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For hearing of bail application

16.05.2024

Mr. Tahir Anis, advocate for the applicant

Mr. Mumtaz Ali Shah, Assistant Prosecutor General for the State

It is alleged that the applicant with the rest of the culprits robbed complainant Sajan of rupees fifty lacs, for which the present case was registered.

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

It is contended by learned counsel for the applicant that the applicant is innocent and has been involved in this case falsely by the police in a blind FIR and he was shown to the complainant before his identification parade, therefore, he is entitled to be released on bail on point of further inquiry and hardship, which is opposed learned Assistant PG for the State by contending that the offence which the applicant has committed is affecting the society at large.

Heard arguments and pursued the record.

The FIR of the incident has been lodged with a delay of about five days, yet it does not contain the name of the applicant. The applicant was arrested in some other case and then was subjected to an identification parade in the present case. It is alleged by the applicant that he was

shown to the complainant before the identification parade. There is no recovery of the alleged robbed property from the applicant. The case has finally been challaned and there is no likelihood of absconsion or tampering with the evidence on the part of the applicant who is said to be in custody in the present case for eighteen months. 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.100,000/- (Rupees One Lac 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