

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Criminal Bail Application No. 857 of 2024
(Zahoor Ahmed v. The State)

Date	Order with signature of Judge
------	-------------------------------

1. For further orders on office objection at A
2. For orders on MA No.5056/2023
3. For hearing of bail application

17.05.2024

Mr. Aziz Lakhani, advocate for the applicant
Mr. Mumtaz Ali Shah, Assistant Prosecutor General for the State
Complainant, Mustafa, in person

It is alleged that the applicant with the rest of the culprits robbed complainant Muhammad Mustafa of his driving license, SIM card, wallet continuing copy of CNIC and rupees ten thousand, for which the present case was registered.

The applicant having been refused bail by learned IIIrd-Additional Sessions Judge, Karachi, East, has sought the same from this Court by way of instant bail application u/s 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, therefore, he is entitled to be released on bail on the point of further inquiry, which is opposed learned Assistant PG for the State who is assisted by the complainant by contending that the applicant has sustained injury at the time of the incident.

Heard arguments and pursued the record.

The name of the applicant does not appear in the FIR of the incident and he has not been subjected to an identification parade through the Magistrate. The recovery is alleged by the applicant to

have been foisted upon him by the police by arranging the same from the local market. It was a stray bullet which as per the applicant hit him at the time of the incident. 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 for about seven months with effective progress in the trial of the case. 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