

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Criminal Bail Application No. 746 of 2024
(Muhammad Pervaiz and another v. The State)

Date	Order with signature of Judge
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For hearing of bail application

20.05.2024

M/s. Sanaullah Soomro and Shoukat Islam Kumbher, advocate for the applicants
Mr. Abrar Ali Khichi, Additional Prosecutor General for the State
Complainant, Murtaza, in person

It is alleged that the applicants robbed complainant Murtaza and P.W Khair Bux of their cell phones and other belongings; they were pointed in a political rally were apprehended by general public and police personnel after maltreatment and then were involved in the present case.

The applicants having been refused bail by learned XIInd-Additional Sessions Judge, Karachi, West, have sought the same from this Court by way of instant bail application u/s 497 Cr.P.C.

Heard arguments and pursued the record.

The FIR of the incident has been lodged with a delay of about one day; such delay could not be overlooked. The applicants were apprehended subsequent to the incident allegedly on the pointation of the complainant when they participated in a political rally, which appears to be surprising. The recovery is alleged by the applicants to have been foisted upon them by the police by arranging the same from the local market. No document of the ownership of the cell phones even otherwise is produced by the complainant or his witness before the police. The case has finally been challaned and there is no

likelihood of absconsion or tampering with the evidence on the part of the applicants who are said to be in custody for four months without effective progress in trial of their case. In these circumstances, a case for the release of the applicants on bail on point of further inquiry is made out.

Under the given circumstances, the applicants are admitted to bail subject to their furnishing surety in the sum of Rs.50,000/- (rupees fifty thousand only) each 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