

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Criminal Bail Application No. 828 of 2024
(*Aijaz ur Rehman v. The State*)

Date	Order with signature of Judge
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For hearing of bail application

22.05.2024

Mr. Mamoon A.K Shirwany, advocate for the applicant
Mr. Aftab Ahmed Satti, advocate for the complainant
Mr. Mumtaz Ali Shah, Assistant Prosecutor General for the State

It is alleged that the applicant being an employee of Sunridge Foods Pvt. Limited misappropriated its amount worth Rs.1,85,41,500/-, for which the present case was registered.

The applicant having been refused bail by learned Courts below, has sought the same from this Court by way of the 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 complainant at the instance of co-accused Iftikhar Ahmed and the offence alleged against the applicant does not fall within the prohibitory clause, therefore, he is entitled to be released on bail on the point of further inquiry. In support of his contention, he relied upon the cases of *Muhammad Usman Shakir v. The State and others* (2021 SCMR 1880) and *Ali Raza v. The State and others* (2022 SCMR 1223).

Learned Assistant PG for the State and learned counsel for the complainant have opposed to release of the applicant on bail by contending that he has committed the financial death of the complainant party.

Heard arguments and pursued the record.

The FIR of the incident has been lodged with a delay of about ten months; such delay could not be overlooked. The offence alleged against the applicant does not fall within the prohibitory clause. 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 more than three months without effective progress in the trial of his 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.500,000/- (rupees five lacs 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

Nadir