

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Criminal Bail Application No.788 of 2024
(Muhammad Umar v. The State)

Date Order with signature of Judge

For hearing of bail application

23.05.2024

Mr. Farooq H. Abbasi, advocate for the applicant
Mr. Zulfikar Ali Mashori, advocate for the complainant
Mr. Muhammad Anwar Mahar, DDPP for the State

It is alleged that the applicant with the rest of the culprits robbed complainant Nazakat Ali of his wallet, wrist watch and cell phone, for which, the present case was registered.

The applicant having been refused pre-arrest bail by learned VIIIth-Additional Sessions Judge, Karachi, Malir, has sought the same from this Court by way of instant bail application under Section 498 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 based on a statement of co-accused Abu Bakar, therefore, he is entitled to be admitted to pre-arrest bail on point of further inquiry and malafide, which is opposed by learned DDPP for the State and learned counsel for the complainant by contending that the offence which the applicant has committed is affecting the society at large.

Heard arguments and perused the record.

The name of the applicant is disclosed by co-accused Abu Bakar; such disclosure could hardly be used as evidence against the applicant. The case has finally been challaned. The applicant has joined the trial and there is no allegation of misusing the concession of interim pre-arrest bail on the part of the applicant. In these circumstances, a case for grant of pre-arrest bail to the applicant on the point of further inquiry and malafide is made out.

Under given circumstances, the interim pre-arrest bail already granted to the applicant is confirmed on the same terms and conditions.

Instant bail application is disposed of accordingly.

J U D G E