

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Criminal Bail Application No. 745 of 2024
(*Nasrullah Nasir and 02 others v. The State*)

Date	Order with signature of Judges
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For hearing of bail application

29.05.2024

Mr. Liaquat Ali Khan, advocate for the applicants
Ms. Shahida Karim Abbasi and M/s. Hassan Afzal Janjua and M.
Tariq, advocates for the complainant
Mr. Mumtaz Ali Shah, Assistant Prosecutor General for the State

It is alleged that the applicants with the rest of the culprits during the robbery murdered Nasim Javed and Babar Tanveer, for which the present case was registered.

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

It is contended by the learned counsel for the applicants that the applicants are innocent and have been involved in this case falsely by the police at the instance of the complainant otherwise they have nothing to do with the alleged incident, therefore, they are entitled to be released on bail on the point of further inquiry, which is opposed by the learned Assistant Prosecutor General for the State and learned counsel for the complainant by contending that the names of the applicants have transpired in investigation and they are vicariously liable for the incident.

Heard arguments and perused the record.

The FIR of the incident has been lodged with a delay of about two days, yet it does not contain the names of the applicants; those have been disclosed by co-accused Abdullah and Sajjad; such disclosure could hardly be used against them as evidence; on

investigation they have been let off by the police finding them to be innocent. There is no recovery of any sort from the applicants. There is no likelihood of absconsion or tampering with the evidence on the part of the applicants. In these circumstances, a case for the release of the applicants on bail on the 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.200,000/- (Rupees Two Lacs Only) each and P.R bond in the like amount to the satisfaction of the trial Court.

Instant bail application is disposed of accordingly.

J U D G E

Nadir*