

IN THE HIGH COURT OF SINDH AT KARACHI**Cr. Bail Application No. 644 of 2024**

Applicant : **Abid Ahmed**
through Raja Mir Muhammad, Advocate

Respondent : **The State**
through Mr. Faheem Husain Panhwar,
Additional Prosecutor General, Sindh

Date of hearing : 18-09-2024

Date of short order : 18-09-2024

Date of reasons : 24-09-2024

.....

ORDER

Omar Sial, J: Abid Ahmed has sought post-arrest bail in crime number 485 of 2023 registered under sections 302, 324, 109, 170 and 34 P.P.C. at the Manghopir police station. He applied for bail before the learned 4th Additional Sessions Judge, Karachi West, however, the application was dismissed on 31.01.2024.

2. On 11.07.2023, Zameer Ahmed reported to the police that his brother Hashim was shot dead by unknown policemen while a friend of Hashim's, namely Shehzad, had been injured. Investigation revealed that the person who had shot at Hashim and Shehzad was a police officer by the name of A.S.I. Mukhtar. It is alleged that when the shooting occurred, the officer In Charge of the police station was Qamar Hussain, who was present in the station at the relevant time. He was granted bail by this Court on 24.11.2023. A.S.I. Mukhtar is an absconder.

3. Learned APG submitted that although Mukhtar was the only one accused of firing on Hashim and Shehzad, the applicant, was on the same motorcycle as Mukhtar. This, at the moment, is the only piece of evidence against the applicant. No identification parade was held after the arrest of the applicant

for the injured Shehzad to confirm whether the applicant was one of the shooters. As the prosecution case stands currently, the applicant is said to be present on the scene but did not carry out an overt act. Whether or not he shared a common intention or common object with the alleged shooter Mukhtar and whether he aided and abetted Mukhtar in the shooting will have to be established at trial. There is not sufficient evidence on the record which would reflect such common intention at this preliminary stage. The case against the applicant appears to be one of further inquiry.

4. Above are the reasons for the short order dated 18.09.2024.

JUDGE