

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Criminal Bail Application No. 1559 of 2024
(Yasir v. The State)

Date	Order with signature of Judges
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For hearing of bail application

22.10.2024

Mr. Farhan Sardar, advocate for the applicant
Ms. Rubina Qadir, DPG for the State
Complainant in person

The facts, in brief, necessary for the disposal of the instant bail application are that the applicant with the rest of the culprits allegedly robbed complainant Umair of his Suzuki Pickup; they were followed by Police Party of PS Supermarket led by ASI Sohail and were arrested after an armed encounter, whereby he and co-accused Muhammad Anwar sustained fire shot injuries and from them were recovered the robbed property and crime weapon; they were booked accordingly.

The applicant having been refused bail by learned 1st Additional Sessions Judge, District Central, Karachi, has sought the same from this Court by way of instant bail application under Section 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 police only to justify causing fire shot injury to him, therefore, he is entitled to be released on bail on the point of further inquiry, which is opposed by learned DPG for the State by contending that he has been apprehended at the spot with the recovery of crime weapon and robbed property. However, the complainant has recorded no objection to the release of the applicant on bail.

Heard arguments and perused the record.

The complainant during his examination before the learned trial Court was fair enough to admit that he could not say whether the accused before the Court was the same or not and the FIR of the incident was registered by the police as per their wish. If it was so, then it makes the involvement of the applicant in the present case to be doubtful. Co-accused Muhammad Anwar has already been admitted to bail by the learned trial Court. 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 one year. In these circumstances, a case for the release of the applicant on bail on the point of further inquiry is made.

Under the given circumstances, the applicant is admitted to bail subject to his furnishing surety in the sum of Rs.50,000/- (Rupees Fifty Thousand 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