

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.
Cr. Bail Appl No.185 of 2016
Cr. Bail Appl No.186 of 2016

Date	Order with signature of Judge
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For hearing of Bail Application.

12.04.2016.

Mr. Muhammad Tariq Abbasi, Advocate for applicant/accused
 Mr. Abdullah Rajput, APG.

ORDER

MUHAMMAD IQBAL KALHORO J: By this order, I would like to dispose of above two (02) bail applications, whereby applicant is seeking post arrest bail in main case bearing crime No.422/2014, Police Station Aziz Bhatti Karachi, U/s 353, 324, 34 PPC; and the case being crime No.423/2014, U/s 23-A Sindh Arms Act, 2013.

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2. Allegations against the applicant are that on 05.09.2014 at 1200 hours he was arrested at the spot by the police during an encounter and from him allegedly a bunch of keys, one cutter, charas weighing 50 grams, one 30 bore of unlicensed pistol, two empties of SMG and one stolen motorcycle were recovered.

3. Learned counsel for the applicant has argued that applicant is innocent and has been falsely implicated in this case that the allegations against him are of ineffective firing, which require further enquiry.

4. On the other hand, learned A.P.G has opposed grant of bail to the applicant on the grounds that the applicant is habitual criminal and against him previously two criminal cases of similar nature have been registered.

5. I have considered the submissions of the parties and perused the material available on record.

6. The FIR shows that applicant was arrested at the spot during an encounter with the police and from him an unlicensed weapon, one stolen motorcycle; some narcotics, and some utensils of dubious nature were recovered. The arguments of the learned counsel that allegation of only ineffective firing are alleged against him and his case calls for

further enquiry is not factually correct. The applicant has criminal history and is involved in similar type of cases. His arrest from the spot and recovery of incriminating articles furnish prima facie sufficient evidence to show his connection with the commission of the offence.

7. Resultantly, I do not find the applicant entitled for grant of bail. At the same time, I feel that expeditious trial is the right of the accused, which cannot be denied to him. Accordingly, the trial Court is directed to expedite the trial and conclude the same preferably within a period of two months, whereafter, the applicant however, repeat his bail application, if he so wishes.

The bail applications are disposed of in the above terms.

Rafiq/P.A

JUDGE