

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.
Cr. Bail Appl. No.2163

04.12.2024

Mr. Muhammad Ashraf Samo, Advocate for applicant
Ms. Rubina Qadir, DPG a/w PI Shoukat Ali Shar of P.S. Sukhan and SIP Asif Ali Arain.

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ORDER

MUHAMMAD IQBAL KALHORO J: Applicant Hussain S/o Ibrahim is seeking post arrest bail in Crime No.236/2024 U/s 302, 34 PPC of P.S. Sukhan, Karachi.

2. A brother of complainant namely Ghulam Ali was murdered on 12.04.2024 by four persons, named in FIR, riding on two motorcycles near Haji Muhammad Ali Family Park, Tharparkar General Stole, Jatt Pahara Malir, Karachi. FIR was registered on the same day. Complainant is not the eye witness. Name of the applicant is not mentioned in FIR but subsequently after 9/10 days 161 Cr.P.C. statements of some witnesses were recorded, who have stated that applicant was present alongwith other accused. On the basis of such statement, he was introduced as accused, however, without any active role.

3. Learned defence counsel has pleaded for bail but opposed by learned DPG. I.O. is present, submits that this accused is also involved in a previous murder case registered by the complainant party.

4. I have considered submissions of the parties and perused material available on record. Name of the applicant has been introduced in the case after delay of almost 10 days but even then he has not been assigned any specific role of causing any injury to the deceased. Merely his presence has been shown. His name otherwise does not transpire in the FIR. Therefore, the case of further inquiry is made out. Accordingly, this bail application is allowed and the applicant is granted bail subject to his furnishing solvent surety in the sum of Rs.200,000/- and P.R. bond in the like amount to the satisfaction of the trial court.

6. The observations made herein above are tentative in nature and would not prejudice case of either party at trial.

7. This Cr. Bail Applications is disposed of.

J U D G E

Hafiz