

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.

Date	Order with signature of Judge
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Cr. Bail Appl No.1911 of 2019

Shahid AzizApplicant

Versus

The State.....Respondent

Cr. Bail Appl No.1912 of 2019

Shahid AzizApplicant

Versus

The State.....Respondent

04.02.2020

Mr. Bakht Azam, Advocate for Applicant
Ch. Mehmood Anwar, Special Prosecutor, Ranger (Sindh)
Mr. Abrar Ali Khichi, Addl; P.G. Sindh

ORDER

Applicant is seeking post arrest bail in the cases bearing Crime No.314/2017, U/s U/s 23(i) A Sindh Arms Act and Crime No.159/2017, U/s 302, 109, 34 PPC r/w section 7 ATA registered at Police Station Al-Falah, Karachi.

2. In FIR, complainant has reported murder of his maternal uncle/father in law namely Muhammad Rashid at the hands of unknown accused at Dabo Club behind Riff-e-AAM Society, Main Bazar Malir Halt, Karachi on 30.07.2017 at 0700 hours. Initially the case was disposed of under 'A' Class, however, subsequently, the applicant and other co-accused were arrested and from applicant a pistol allegedly used in the crime was recovered regarding which FSL report in positive was also received. Besides, in identification parade, the applicant was picked up by the witnesses to be the culprit of present crime and offence, plus there is a judicial confession made by the applicant admitting his guilt. It has also been informed that in the trial 09 material witnesses have been examined, who have *prima facie* supported prosecution case against him.

3. Learned defence counsel, however, has argued that applicant has been falsely implicated in this case; that he was already arrested before his alleged arrest shown on 04.10.2017; and that there are certain contradictions in the cross examination of the witnesses.

4. It is made clear that while deciding a bail application deeper appreciation of evidence is not permitted. *Prima facie* there is sufficient evidence as stated above connected the applicant and more so 09 witnesses, who have *prima facie* implicated the applicant have been examined. Therefore, it would serve interest of justice to direct the trial court to expedite the trial and conclude it within a period of three (03) months. No adjournment shall be granted to any of the parties save if it is justified on any cogent ground. Accordingly, these bail applications are dismissed.

5. The bail applications are disposed of in the above terms; the findings made hereinabove are tentative in nature and would not prejudice case of either party at trial.

Judge Judge

Rafiq P.A.