

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.

Cr. Bail Appl No.786 of 2020

Date	Order with signature of Judge
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Muhammad JawadApplicant

Versus

The State.....Respondent

For hearing of bail application

18.06.2020

Mr. Aroon Parsad, Advocate for Applicant
Mr. Ali Haider Salim, DPG

ORDER

Applicant is seeking post arrest bail in a case bearing Crime No.97/2020, U/s 269, 353, 324, 147, 149, 427, 337-A(i) PPC read with section 7 ATA, registered at P.S. Model Police Station, Liaquatabad Karachi.

2. As per brief facts police of P.S. Model Police Station Liaquatabad, Karachi while on patrol duty found 80/90 people offering prayer in Ghousia Masjid, Liaquatabad, Karachi, in violation of lockdown and Standard Operating Procedures (SOPs) enforced in the wake of (Covid-19). After the prayer, seeing the police, who remained there to arrest them, Namazis were provoked by Pesh Imam and others to attack them. As such, they started pelting the police with stones injuring three (03) of them. In FIR, thirteen (13) accused have been nominated including Pesh Imam but 07 of them have been released in investigation under Section 169 Cr. P.C. for want of sufficient evidence.

3. Applicant's name is not mentioned in FIR, however, in CCTV camera footage, he has been identified pelting stones and was accordingly arrested by the police. However, it has not been denied that at the same time, many other people were present and also throwing stones to the police party and, therefore, it is yet to be seen as to who among them is responsible for causing injuries to the members of police party. The applicant was arrested on 19.04.2020 and after investigation, the challan has been submitted and he is no more required for further investigation. Learned DPG has opposed bail but has not denied that except this case no other case of like nature or otherwise has ever been registered against the applicant. We, in view of above are of the view that the case against the applicant requires further inquiry in terms of Section 497(ii) Cr. P.C. and he is entitled to bail.

Consequently, this bail application is allowed, and the applicant is granted bail subject to his furnishing a solvent surety in the sum of Rs.100,000/ (Rupees one hundred thousand only) with P.R. bond in the like amount to be executed to the satisfaction of the trial Court.

4. Bail application stands disposed of in the above terms. The observations made hereinabove are tentative in nature and would not prejudice case of either party at trial.

JUDGE

JUDGE

Rafiq/P.A.