

IN THE HIGH COURT OF SINDH AT KARACHI

Criminal Bail Application No.329 of 2025

Applicants : Imran Ahmed son of Riaz Ahmed and
Raqib son of Imran Ahmed, through
Mr. Shaukat Ali, Advocate

Respondent : Muhammad Khalid through Mr.
Mansoor, Advocate

The State
Through Mr. Neel Parkash, DPG,
Sindh.

Date of hearing : 10.03.2025

Date of order : 10.03.2025

ORDER

AMJAD ALI SAHITO, J -- Through this Bail Application, the applicants/accused seek post-arrest bail in Crime No.33 of 2025 registered under Sections 392, 397, 506-B, 34 PPC at Police Station Pakistan Bazar, after his bail plea has been declined by the learned XIIth Additional Sessions Judge West, Karachi, vide order dated 31.01.2025.

2. The details and particulars of the FIR are already available in the bail application and FIR, same could be gathered from the copy of FIR attached with such application, hence, needs not to reproduce the same hereunder.

3. Per learned counsel for the applicant, in fact the accused and complainant parties are relative each other and due to previous enmity, the applicants have been implicated in this case otherwise no incident took place. Lastly, he submits that the applicants/accused are in jail and no more required for further investigation and prayed for grant of post-arrest bail.

4. On the other hand, learned Deputy Prosecutor General Sindh as well as complainant present in court vehemently opposed for grant of bail; however, it was inquired from him that how many injuries he has received by his wife and any

medical certificate is available on record, he replied in negative.

5. Heard and perused the record.

6. The case of the prosecution is that three accused persons were nominated in the FIR. However, the complainant failed to produce any medical certificate to believe that alleged incident took place and the applicant and his wife has received the injuries on different parts of the body, so far the robbery of the cash amount in this case. The complainant's wife and the applicants are close relatives. As such, it will be seen when the evidence will be recorded whether the applicants/accused have committed the offence in which they charged or due to previous enmity they have booked as claimed by the learned counsel for the applicant. At bail stage, only tentative assessment is to be made. The applicants/accused are in jail and their further detention will not improve the case of the prosecution.

7. In view of the above, learned counsel for the applicants/ has made out a case for grant of bail in terms of subsection 2 of Section 497 Cr.P.C. Resultantly, the instant Criminal Bail Application is **allowed**, the applicants are granted bail subject to furnishing solvent surety in the sum of Rs.50,000/- (Rupees Fifty Thousand Only) **each** with P.R. bond to the satisfaction of the learned trial Court.

8. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the learned trial Court while deciding the case of the applicants on merits.

JUDGE

Hyder/PA