

IN THE HIGH COURT OF SINDH AT KARACHI

Present:

Mr. Justice Amjad Ali Sahito

Criminal Bail Application No.2867 of 2024

Applicant : Rashid Ali
Through M/s. Liaqat Ali and Shafique
Ahmed, Advocates

Respondent : The State
Through Mr. Muhammad Noonari,
Deputy Prosecutor General, Sindh

:
Date of hearing : 07.02.2025

Date of order : 07.02.2025

ORDER

AMJAD ALI SAHITO, J -- Through this Bail Application, applicants/accused seek post-arrest bail in Crime No.387/2024 registered under Section 397, 34, 109 PPC at PS SITE Super Highway, Karachi, after his bail plea has been declined by IIIrd Additional District & Sessions Judge (MCTC), Malir-Karachi vide order dated 23.08.2024.

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, name of the applicant/accused has not appeared in the FIR and he has falsely been implicated in this case; that nothing has been recovered from his possession. In fact, he is a security guard in the bank. He further submits that the accused is in jail from last 11 months but no progress has been made before the learned trial Court. As such, the applicant/accused is entitled for grant of concession of post arrest bail.

4. On the other hand, learned Deputy Prosecutor General, Sindh vehemently opposed for grant of bail and submits that the applicant/accused was arrested on the same day and police also recovered Rs.150,000/- from his possession so also complainant identified him. As such, sufficient material is available on record to connect him with the commission of offence.

5. Heard and perused the record.

6. From the perusal of the record, it reflects that the name of the applicant/accused does not transpired in the FIR; however, after committing robbery the accused person fled away from the place of incident but on the same day he was arrested by the police and Rs.150,000/- were recovered from his possession so also complainant identified him at police station. Further, CCTV cameras were also available where incident took place where the accused person was identified. At bail stage only tentative assessment is to be made out, prima face there is sufficient material available on record to connect the applicant/accused with the commission of the alleged offence.

7. In view of the above, learned counsel for the applicant has failed to make out a case for grant of bail in terms of subsection 2 of Section 497 Cr.P.C. Accordingly, the instant Bail Application is **dismissed**.

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 applicant/accused on merits.

JUDGE

Hyder/PA