

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Crl. Bail Application No.722 of 2025

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| Date | Order with signature(s) of Judge(s) |
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For hearing of bail application

08.04.2025

Mr. Amjad Ali Narejo, advocate for the applicant.
Ms. Seema Zaidi, Addl.P.G, Sindh.

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KHALID HUSSAIN SHAHANI, J. The applicant Hamid seeks post-arrest bail in a case bearing crime No.584/2024 offence u/s 393,397,34 PPC of P.S. Orangi Town, Karachi. His bail plea was declined by the learned XIth Additional Sessions Judge Karachi (West) vide order dated 10.03.2025.

2. Heard learned counsel for the applicant and learned APG. The latter has recorded objections; however, reluctantly concedes, neither name of the applicant appears in FIR, nor identification parade test held.

3. Admittedly, the name of the applicant not appears in the FIR and only piece of evidence against him is that his name was introduced by co-accused Momin, said to be arrested in a case bearing crime No.600/2024 of P.S. Orangi Town, Karachi, therefore, yet to be determined at the time of trial, whether such piece of evidence has evidentiary value in pursuance of Articles 38 and 39 of the Qanun-e-Shahadat Order, 1984. The applicant is also admitted to post-arrest bail by the Court of learned XIth Additional Sessions Judge Karachi-West vide order dated 04.03.2025, as pointed out by the learned counsel for the applicant. The minimum punishment provided for the alleged offence is not more than seven years, hence, the case does not fall within the ambit of prohibitory clause of Section 497(1) Cr.P.C. Bail in such like cases is a rule and its refusal is exception. The challaned has been submitted and applicant is no more required for further investigation.

4. Given the above, the applicant has succeeded to make out case for further inquiry. Accordingly, applicant is admitted to post-arrest bail, subject to furnish solvent surety in the sum of Rs.50,000/- (Rupees Fifty Thousand Only) and P.R. bond in the like amount to the satisfaction of the learned trial Court.

JUDGE