

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
Crl. Bail. Application No. 467 of 2025

Date	Order with signature of Judge
For hearing of bail application.	

25<sup>th</sup> March 2025.

Mr. Khan Muhammad advocate for applicant.  
Mr. Fayyaz Hussain, APG.

**KHALID HUSSAIN SHAHANI, J**-- Applicant Zahid Ali seeks post-arrest bail in Crime No. 1306/2024 P.S. Shah Latif Town under Sections 324, 353, 395, 397, & 34 PPC. The applicant's earlier bail plea was dismissed by the learned Additional Sessions Judge VIII, Malir, Karachi, through an order dated 17.12.2024.

2. Concisely, facts led to the prosecution's case are that on 12.10.2024, after finishing his duty, the complainant was on his way home and reached Mazaar Street around 2:00 a.m. At that time, six individuals on three motorcycles, armed with weapons, intercepted him and robbed him of Rs. 5,000 in cash and mobile phones at gunpoint. Soon after alleged happening, a police mobile unit led by ASI Noor Rehman, which was on routine patrol, arrived at the scene. The complainant apprised them about the incident. Upon spotting the police, the suspects opened fire. The police returned fire, causing one motorcycle to crash, resulting in the apprehension of three suspects, two of whom were injured. The remaining culprits managed to escape. Upon inquiry, the arrested suspects identified themselves as Ali Haider, Abdul Sami, and Gulzar Ahmed. Weapons and stolen items were recovered from them. The fleeing individuals were later identified as Nazar Muhammad, Zahid Ali, and Kamran. Based on these events, the FIR was registered.

3. At the very outset, learned counsel for the applicant contended that his client is innocent and has been wrongfully implicated in the case. He argued that there is no substantive evidence against the applicant, apart

from a statement made by co-accused Gulzar Ahmed, who merely named the applicant as one of the individuals who fled the scene. The counsel further emphasized that this solitary piece of evidence holds no legal significance. No identification parade was conducted before any competent court of law. Furthermore, the investigation has been concluded, the challan has been submitted, and the applicant is no longer required for further investigation.

4. The learned Assistant Prosecutor General (APG), Sindh, concurred with this view, acknowledging that besides the statement of co-accused Gulzar Ahmed, who was allegedly apprehended at the scene of occurrence, no corroborative or supporting evidence was gathered by the investigating officer during the course of the investigation.

5. Upon a tentative review of the available material, it is evident that apart from the statement of co-accused Gulzar Ahmed, implicating the applicant as one of the accomplices, there is no other evidence linking the applicant to the alleged offense. The Investigating Officer has not collected any independent or corroborative material against the applicant. Therefore, such a statement alone lacks probative value, especially in light of Articles 38 and 39 of the Qanun-e-Shahadat Order, 1984. Furthermore, the investigation has been completed, and the challan has already been submitted, indicating that the applicant is no longer required for investigative purposes.

6. Given the above, the applicant has made out a case that warrants further inquiry as contemplated under Section 497(ii) Cr.P.C. Accordingly, he is admitted to post-arrest bail, subject to furnishing a solvent surety in the amount of Rs. 50,000/- (Rupees Fifty Thousand only), and P.R. bond in the same amount to the satisfaction of the learned trial Court.

**J U D G E**

shahbaz