

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.
Cr. Bail Appl. No.2458 of 2024
(Muhammad Ameen vs. The State)

Date	Order with signature of Judge
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For hearing of Bail Application.

18.11.2024.

Mr. Asif Ali Jokhio, advocate for applicant
Ms. Rahat Ahsan, Addl: PG Sindh

ORDER

MUHAMMAD IQBAL KALHORO J: This is a case of blind murder, complainant has alleged in the FIR that on 17.04.2024 he was on his duty in Port Qasim as a Computer Operator and tried to contact with his wife Mst. Asma but in vain. After making much efforts and intimating his mother-in-law, he also reached his home and found his wife missing. Subsequently, his dead body was found available in a water tank in the house. Applicant has a vegetable shop in the area and was identified to be the culprit on the basis of 161 CrPC and 164 CrPC statements of two witnesses Muhammad Azeem and Farhan whom he had contacted before committing the offence to make them accomplice in the crime. Besides, his CDR location has been verified in the investigation, which confirms his presence on the spot at the relevant time.

2. Learned defence counsel, however, has argued that name of applicant does not transpire in FIR; there is no CCTV footages of the incident; there is no eye witness and there is delay in FIR and that applicant has been falsely implicated in this case.

3. Admittedly, this is a blind murder case in which some pieces of evidence identifying the applicant have been collected during the investigation, which include his CDR and 161 CrPC statements of person with whom he initially tried to plane the crime. Unless, the evidence of those witnesses is recorded, applicant cannot be *prima facie* held innocent, hence, while rejecting bail application, I direct the trial Court to examine PWs Muhammad Azeem and Farhan within a period of three (03) months. After which, in any case, the applicant would be at liberty to file a fresh bail application before the trial Court for a consideration and independent of previous order in accordance with law

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.

J U D G E