

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI.**  
**Cr. Bail Appl. No.1686 & 1687 of 2024**  
*(Muhammad Umar. The State)*

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

**18.10.2024.**

M/s. Ahmed Hussain Jokhio and Abdul Khaliq Jokhio, advocate for applicant ,  
 Mr. Khadim Hussain, Addl: PG Sindh

**ORDER**

**MUHAMMAD IQBAL KALHORO J:** Complainant was robbed of belongings on 15.03.2024 by three armed dacoits ridding on a motorcycle near Ayoub Goth, Near Larkana Saji Hotel, Scheme-33, Karachi. He registered the FIR on 16.03.2024 against unknown accused. On 17.03.2024, one day after the FIR, three accused including applicant were arrested by the police u/s 23(i) of Sindh Arms Act, 2013 and called the complainant, who identified them to be the same persons. However, subsequently the complainant filed an affidavit in Cr.B.A No.1049/2024 before this Court stating that one of the co-accused, namely, Ali Haider was not the same person, and gave no objection to this bail. He has been granted bail therefore by this Court vide order dated 08.07.2024.

2. The case of the applicant *prima facie* is on the same footing. He was identified by the complainant at the Police Station but no identification parade, as required by law before the Magistrate, has taken place. No recovery of robbed articles has been effected either from the applicant. Insofar as recovery of pistol is concerned, it was witnessed only by police officials and the minimum punishment is less than 07 years, hence, does not come within prohibitory clause u/s 497(i) Cr.PC. Both the cases have been challaned and applicant is no more required for further investigation.

3. Learned defence counsel has pleaded the said arguments, opposed by learned Addl: PG Sindh. However, the above facts and circumstances show that a case of further enquiry has been made out and the rule of consistency is also applicable. Accordingly, these bail applications are allowed and applicant is granted bail subject to his furnishing a solvent surety in the sum of Rs.50,000/ (Rupees fifty thousand) in each case with P.R. bond in the like amount to be executed to the satisfaction of the trial Court.

4. Bail applications are disposed of in the above terms; the findings made hereinabove are tentative in nature and would not prejudice case of either party at trial.

Office to place a copy of this order in connected bail application.

**J U D G E**