

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Cr. Bail Appl. No.2446 of 2023

Date	Order with signature of Judges
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For hearing of Bail Application

11.03.2024.

Mr. Hussain Bux Baloch, Advocate for the applicant.
Mr. Abrar Ali Khichi, Additional Prosecutor General Sindh.
Mr. Shahzad Fazal Abbasi, Director Anti-Corruption ACE.
Mr. Hafeez Jatoi, actual I.O.
Deputed I.O. Mr. Asif Ali Rajper, Assistant Director
CE/Circle Office South, Karachi.

Mohammad Karim Khan Agha, J. Applicant Muhammad Hussain Khatri is facing trial before the Special Judge, Anti-Corruption (Provincial) in respect of FIR No.161/420/409/467/468 PPC R/w section 5(2) Act-II, 1947 registered at P.S ACE (South), Karachi.

2. Brief facts of the case are that the applicant was performing duties in the Budget Branch of the Sindh High Court when complaints were made regarding payment of certain cheques. After an enquiry it was found that certain cheques have been paid directly into the accounts of the applicant as such FIR was filed against the applicant.

3. The applicant applied for post-arrest bail which was declined vide order dated 26.09.2023 by the Special Judge, Anti-Corruption (Provincial), Karachi, hence the applicant has now approached this Court for post-arrest bail.

4. I have heard the parties and perused the evidence on record.

5. The applicant has been in custody for over one year, however, the charge has not even been framed. There are 17 PWs in this case so it is quite apparent that the trial would not be completed for a considerable period of time. The case against the applicant is based on documentary evidence and as such there is no chance of the applicant interfering with the same.

Admittedly, prima-facie there appears to be sufficient material to connect the applicant to the commission of the offence. However, based on the above discussion, there seems to be no chance of the trial to be completed in near future and no ability for the applicant to interfere with any of the evidence and the fact that he is not required for further investigation and there would be no useful purpose keeping the applicant behind the bar.

6. Based on the above discussion, the applicant Muhammad Hussain Khatri S/o. Muhammad Hanif is granted post arrest bail subject to furnishing him solvent surety in the sum of Rs.10,00,000/- (Rupees Ten lac Only) and P.R. Bond in the like amount to the satisfaction of the trial court.

7. It is made clear that this order is only after a tentative assessment of the evidence available on record and would have no bearing on the outcome of the trial of the applicant which shall be decided by the concerned trial Court on merits based on the evidence placed before it.

8. The post-arrest bail application stands disposed of in the above terms.

JUDGE

M. Arif