

IN THE HIGH COURT OF SINDH AT KARACHI
Criminal Bail Application No. 2390 of 2025

Present:
Acting Chief Justice Zafar Ahmed Rajput
Justice Miran Muhammad Shah

Applicant : Attaullah s/o Mouladad, through Mr. Abdul Wahab Baloch, Advocate, along with Mr. Faran Sardar Afridi, Advocates.

Respondent : The State, through Mr. Abrar Ali Khichi, Addl. Prosecutor General Sindh (**Addl. PG**), along with Investigating Officer Inspector Rasheed of P.S. Peerabad, Karachi.

Date of hearing : 01.10.2025
Date of order : 01.10.2025

ORDER

ZAFAR AHMED RAJPUT, ACTING CHIEF JUSTICE.-

Having been

rejected his earlier Criminal Bail Application No.70 of 2025, arising out of Crime/ F.I.R. No. 418/2025, registered at P.S. Peerabad, Karachi-West, under sections 147, 148, 149, 353, 324, 427, 186, 341, P.P.C., read with section 7 of the Anti-Terrorism Act, 1997 (the “**Act**”), by the learned Judge, Anti-Terrorism Court No. XV, Karachi, vide order dated 02.09.2025, the applicant/accused through instant Criminal Bail Application seeks the same concession from this Court.

2. Brief facts of the prosecution case are that, on 24.08.2025, at about 1830 hours, Inspector Anees Ahmed Shaikh of P.S. Peerabad lodged the aforementioned F.I.R., *inter alia* alleging therein that, on the said date at about 1620 hours, a political gathering, led by PTI leader Saeed Afridi and others, including the applicant, had assembled at Banaras Chowk, Karachi, wherein the participants, armed with lathis/sticks and stones, resorted to sloganeering against the State’s institutions, blocked the road, damaged police mobile SPC-308, and caused injuries to two police constables, namely, Kamran and Hasnain. The applicant was arrested on the spot along with other co-accused.

3. Learned counsel for the applicant has contended that the applicant is innocent and has falsely been implicated in this case by the police; that no specific overt act has been assigned to him in the FIR except generalized allegations of mob participation; that no recovery of any weapon has been made from him; that all witnesses are police officials, whereas the incident occurred at a public place, yet no independent witness has been cited; that the applicant is a practicing lawyer, hence there is no likelihood of absconding; and that the case requires further inquiry within the purview of Section 497(2), Cr.P.C.

4. On the other hand, learned Addl. PG has maintained that the applicant was apprehended on the spot while leading the mob, raising anti-state slogans and attacking police officials; that the incident resulted in injuries to policemen and damage to public property, thereby attracting provisions of the Act, thus, he is not entitled to the concession of bail.

5. Heard. Record perused.

6. It appears from the record that the applicant is confined in judicial custody from the date of his arrest. Charge-sheet has been submitted against the accused persons; hence, the applicant is no more required by the police for further investigation. The F.I.R. discloses the presence of a large mob allegedly armed with lathis/sticks and stones, but no specific role of the applicant, apart from his presence, has been assigned. It is an admitted position that no arms or even a lathi/stick has been recovered from him. The role of the applicant leading the mob or raising slogans is a matter that requires evidence at trial.

7. Under aforesaid circumstances of the case, we have found the case against the applicant as one of further inquiry into his guilt, as envisaged under subsection (2) of Section 497, CrPC.; hence, we admit him to post-arrest bail, subject to his furnishing solvent surety in the sum of Rs.50,000/- (*Rupees Fifty Thousand only*) and P.R. Bond in like amount to the satisfaction of the trial Court.

8. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the trial Court while deciding the case of the applicant on merits. However, in case the applicant misuses the concession of bail in any manner, the trial Court shall be at liberty to cancel the same after giving him notice, in accordance with law.

9. Above are the reasons of our short order dated 01.10.2025.

ACTING CHIEF JUSTICE

JUDGE

Tahseen