

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Cr.B.A No.484 of 2015

Date Order with signature(s) of Judge(s)

For Hearing

03.06.2015.

Mr. Syed Dilshad Hussain Shah, Advocate for the Applicant
Mr. Zafar Ahmed Khan, D.P.G.

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Applicant Kamran Ali Shah & Pathan s/o Inayat Ali Shah is facing trial for an offence under Section 23(i) A SAA 2013 P.S Brigade, Karachi.

Brief facts of the case as narrated in the FIR is that with reference to the report of roznamcha-e-aam, SI Zameer-ul-Hassan, alongwith police subordinates police constables came back at police station alongwith arrested accused person Kamran Ali Shah son of Inayat Ali Shah, I was busy in area patrolling for prevention of crime, during patrolling when reached at Main A.B Senia Line Road, Shimla Hotel, at about 2300 hours found one person who was standing in suspicious condition. When he was called by me he tried to escape from there but with the help of police subordinates apprehended him who disclosed his name as Kamran Ali Shah due to unavailability and non-cooperation of private witnesses took his personal search in presence of police subordinates, during personal search from his right side of folder of shalwar one pistol 30 bore, alongwith loaded magazine 2 rounds alive, without number, black plastic handle was recovered, on demand of license he failed to produce the same at spot, the act of the accused falls under Section 23(i)A Sindh Arms Act 2013, sealed

the recovered weapon and ammunition at spot, after returning at P.S the case against the above accused was registered, investigation of the case has been handed to SI Muhammad Asif.

Learned counsel for the applicant has urged that applicant is innocent and falsely implicated in the above case with malafide intentions for ulterior motives by the police. He further argued that the police did not tried to associate even a single private witness in recovery procedure so the doubt is created and the case is fit for further inquiry.

Learned DPG has strongly opposed the grant of bail on the ground that accused is nominated in FIR.

I have heard the learned counsel for the applicants and learned DPG Sindh.

From the record it appears that applicant is not required for investigation as he has been remanded to jail custody. Even otherwise the matter requires further inquiry. Therefore, the applicant is granted bail subject to furnishing solvent surety in the sum of Rs.50,000/- and P.R bond in the like amount to the satisfaction of the trial Court. The observation made is of tentative nature and will not affect the outcome of the main case proceeded before Trial Court.

JUDGE