

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Cr.B.A No.2239 of 2014

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

For Hearing

04.06.2015.

Mr. Qadir Hussain Khan, Advocate for the Applicant
Mr. Abrar Ali Khichi, A.P.G.

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Applicant Shah Obaid Ali s/o Anwar Ali is facing trial in crime No.335/2014 for an offence under Section 23(i) A SAA 2013, P.S New Karachi, Karachi.

Brief facts of the case as narrated in the FIR are that as per report number 4, rozenamcha police station on 23.9.2014 ASI Ashiq Hussain alongwith other police officials in Government Mobile while on patrolling reached opposite Qureshi Hotel Sector 11-E New Karachi found one young boy in doubtful condition and stopped him with the help of police officials and he disclosed his name as Obaid Ali son of Anwar Ali while one pistol 30 bore without number and on requiring license he failed to produce arms license and his offence comes under the ambit of section 23(I) of Sindh Arms Act. That due to non-availability of private witnesses on personal search one pistol 30 was recovered.

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 stated the applicant was arrested from the house on 17.9.2014 and mother of applicant approached to DIG Central Police Station Gulberg

whereas the date of occurrence in FIR is shown as 23.9.2014. 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 APG has strongly opposed the grant of bail on the ground that accused is nominated in FIR.

I have heard the learned counsel for the applicant and learned APG 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