

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
Cr. Bail Appln Nos. 994 of 2021

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Date

Order with signature of Judge

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For hearing of bail application.

11.08.2021

M/s. Shaista Gul and Sofia Khan, Advocates for the  
applicant  
Mr. Siraj Ali, A.P.G.

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Through this bail application, applicant Rashid son of Arshad assailed the bail order dated 08.05.2021 passed by the learned IInd Additional District Sessions Judge, Karachi (West) in case FIR No.63 of 2020 under Sections 302/109/201/202/34 PPC registered at Police Station Mominabad, Karachi.

Learned counsel for the applicant contended that the applicant is innocent and has falsely been implicated. She further contended that neither the applicant/accused is named in FIR nor any specific role has been assigned. She also argued that no identification parade of the applicant was held. She submitted that the applicant has been involved in this case on the statement of co-accused, which is not admissible under the law. She has contended that the applicant has made out a good case of further enquiry and therefore, prayed that the applicant may be enlarged on bail.

Learned Assistant Prosecutor General assisted by counsel for applicant submitted that the applicant was involved in a heinous crime of murder. He further contended that during interrogation co-accused persons confessed their guilt of planning and facilitating the murder of deceased on payment of amount and gave a 30 bore pistol to co-accused Khawaj Muhammad for that purpose. He has further contended that the applicant had also pointed out the place of incident. He submitted that the applicant is not entitled for any concession therefore, this bail application may be dismissed.

I have heard the arguments of learned Counsel for the applicant, the learned Assistant Prosecutor General, counsel for complainant and have gone through the record.

Allegations against the applicant as narrated by co-accused Mst. Nasim, the wife of deceased, are that her husband deceased Iqbal Khan had an evil eye on her minor daughter who was born from her previous husband therefore she along with co-accused persons hatched conspiracy for murder of deceased on payment of Rs.200,000/-. Thereafter accused Rashid (the present applicant) and his friend Waqas came at the house of co-accused Mst. Nasim where she gave Rs.100,000/- (Rupees one lac) to accused Rashid (present applicant) and remaining amount was promised to be given to them after work. On 23.0.2.2020, co-accused Mst. Nasim allegedly directed the accused Rashid (the present applicant) to commit murder of her husband at 2:00 a.m. and about 02:30 a.m. both accused Rashid (present applicant) and his friend Waqas committed the murder of the husband of the co-accused Mst. Nasim. After committing murder both the accused Waqas and Rashid (the present applicant) runaway and subsequently they were arrested by the Police from KPK.

In view of the above facts and circumstances, since specific role has been attributed to the applicant therefore, he is not entitled for grant of bail. The instant bail application filed by the applicant Rashid son of Arshad is hereby dismissed. However, the applicant is at liberty to file fresh bail after some evidence comes on record.

JUDGE