ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.
Cr. Bail Appl. No.1074 of 2024
(Ahmed vs. The State)

Date	Order with signature of Judge

For hearing of Bail Application.

04.06.2024.

Mr. Raza Mukhtiar Jawahery, Advocate for Applicant
Mr. Muhammad Iqbal Awan, Addl: PG Sindh

O R D E R

MUHAMMAD IQBAL KALHORO J: Allegedly police headed by ASI Abdul Qadir Jakhroa of Police Station Ibrahim Hyderi, Karachi spotted applicant and co-accused Asif @ Noor Zaman in suspicious condition near Government Hospital Punjabi Para Ibrahim Hyderi, Malir Karachi on 06.05.2024 and tried to arrest them. Hence, co-accused Asif leaving behind a plastic bag having 1260 grams of charas made his escape good, whereas, applicant was arrested along with a motorcycle and from his possession a shopper bag containing 1265 grams charas was recovered.

2.   The trial Court has granted bail to co-accused Asif on the ground that despite a chance police failed to appoint a private person as a mashir to witness alleged recovery but in the case of applicant has conveniently ignored this ground and has dismissed the bail application. Learned Counsel has further pointed out to an application under Section 22-A Cr.PC filed by a paternal aunt of applicant and mother of co-accused Asif for FIR against the complainant for hitting police mobile to her son injuring him seriously. That application is prior to registration of FIR and therefore the case of the applicant requiring further inquiry has been made out. More so, rule of consistency also seems to be *prima facie* applicable in his case.

3.   Hence, despite objection by learned Addl: PG Sindh, this bail application is allowed. The applicant is granted bail subject to his furnishing a solvent surety in the sum of Rs.100,000/ (Rupees one hundred thousand) with P.R. bonds in the like amount to be executed to the satisfaction of the trial Court.

4.   The bail application is disposed of in the above terms; the findings made hereinabove are tentative in nature and would not prejudice case of either party at trial.

JUDGE

Rafiq/P.A