

ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI
Cr. Bail Appl. No. 1280 of 2024

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

For hearing of Bail Application.

06.09.2024.

Mr. Muhammad Rashid Bari, Advocate for the Applicant.
Mr. Muhammad Iqbal Awan, Addl. Prosecutor General Sindh

Applicant Shehbaz has been booked in crime No.27/2024 under Section 397/34 PPC registered at P.S Gulistan-e-Iqbal, Karachi and applied for post arrest bail which was declined by the Court of IVth Additional Sessions Judge (East) Karachi vide order dated 26.02.2024. Hence he has approached this Court for post arrest bail.

2. The brief facts of the case are that the complainant on 10.1.2024 was walking on service road, Sardar Ali Sabri road nearby Bismillah Hotel, Gulshan-e-Iqbal, Block-5 and at 2200 hours two men intercepted him on a black motor bike and stole from him mobile phone and wrist watch on show of firm arm and hence the aforesaid FIR was lodged against unknown persons.

3. I have heard learned counsel for the applicant and learned A P.G.

4. The offence in which the accused has been charged with carries a sentence less than 10 years and usually in such like circumstances bail should be granted unless exceptional circumstance exists. There is no exceptional circumstance existing in this case. It is also noted that the FIR is against un-known persons and that the complainant identified the accused at P.S

who has already been arrested in another crime. No identification parade was carried out. This makes case one for further inquiry. The Complainant on the last date of hearing had no objection to the grant of bail to the applicant. It is also noted from the progress report submitted by the concerned trial Court that the prosecution witnesses are not coming forward and bailable warrants have been issued against them for their attendance and as such the delay in this case is being caused on the part of the complainant. The applicant has also been in jail for 09 months and no serious progress has been made on account of the delay.

5. Based upon the above discussion, the applicant namely Shehbaz is admitted to post arrest bail subject to furnishing solvent surety in the sum of Rs.1,00,000/- (Rupees One Lac Only) and P.R Bond in the like amount to the satisfaction of Nazir of this Court.

6. The instant criminal bail application is disposed of in the above terms.

JUDGE