

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
**Cr. Bail Appl. No.2485 of 2023**

Date	Order with signature of Judges
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For hearing of Bail Application

**11.03.2024.**

Mr. Moula Bux Bhutto, Advocate for the applicant.  
Mr. Saleem Ahmed Shar, Assistant Prosecutor General.  
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**Mohammad Karim Khan Agha, J.** Applicant Yasir S/o. Nasir has been booked in Crime No.495/2023 U/s. 397/302/34 PPC registered at P.S. Nazimabad, Karachi. The applicant applied to the Special Judge Narcotics/Additional Sessions Judge-VII/MCTC-02, Karachi Central for post arrest bail which was declined vide order dated 11.10.2023, hence the applicant has approached this Court for post-arrest bail.

2. Brief facts of the case are that the complainant was at his house on 20.08.2022 at 0349 hours when his younger brother telephoned him and told him that the dacoits had fired upon him and snatched his motorcycle and then fled away and asked him to come to the scene. He then received another call from his brother that his brother has been taken to Abbasi Shaheed Hospital where his brother was in the Emergency Ward. He reached the hospital and found that his brother had received one bullet injury and was in a critical condition and subsequently expired, hence the aforesaid FIR is lodged.

3. I have heard the parties and perused the record.

4. Although this is a murder case under section 302 PPC, there is no eye witness to the murder and it seems that the applicant has been involved in this case because he was arrested in another crime whereby the motor bike of the deceased was recovered from him. The FIR was lodged against unknown persons after the delay of 28 days. No identification parade has been carried out as to

whether it was the applicant who shot the deceased. There is also no eye witness to the applicant shooting the deceased. The applicant has already been spent 09 months in Jail and the charge has not been framed.

5. Based on the above discussion, I find that this is a case of further inquiry. Accordingly the applicant Yasir S/o. Nasir is granted post arrest bail subject to furnishing him solvent surety in the sum of Rs.500,000/- (Rupees Five Lac Only) and P.R. Bond in the like amount to the satisfaction of the trial court.

6. It is made clear that this order is only after a tentative assessment of the evidence available on record and would have no bearing on the outcome of the trial of the applicant which shall be decided by the concerned trial Court expeditiously on merits based on the evidence placed before it.

7. The post-arrest bail application stands disposed of in the above terms.

JUDGE

*M. Arif*