

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
CR. BAIL APPLN. NO.1118 OF 2025

Date	Order with Signature(s) of Judge(s)
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FOR HEARING OF BAIL APPLICATION

02.06.2025

Mr. Muhammad Adil Meo, advocate for the applicant
Mr. Muhammad Nadeem Khan, advocate for the complainant
Mr. Qamaruddin DPG

1. Through this Bail Application, the applicant Haider Ali seeks post arrest bail in FIR No.167 of 2024 under Sections 380/457/34, PPC registered at P.S. Pakistan Bazar, after his bail plea has been rejected by learned Additional Sessions Judge-IV District West, Karachi vide order dated 10.02.2025.

2. It has been alleged by the complainant in the FIR that he has a jewelry shop in the name of AlRahman Jewelers at Pakistan Bazar Market, Orangi Town Karachi. On 09.04.2024 at 2:00 am, he closed his shop, and on 12.04.2024 at 10 am in the morning, when he opened his shop, he saw that locks of the shop were broken and Rs.500,000 and gold ornaments worth 486 grams of 18 carat were missing. He checked CCTV camera recording and saw that at about 8:30 to 9:00 am, four persons entered into his shop and had stolen the said gold from the shop and flew away, hence FIR was lodged.

3. Learned counsel for the applicant pleads, that there is a delay of three days in lodging FIR; that the applicant was not nominated in the FIR, but he was roped in later on; that he is in custody since past one year since

25.05.2024; that the applicant is not a previous convict and is ready to furnish solvent surety to the entire satisfaction of the Court.

4. On the other hand, learned counsel for the complainant and the Deputy Prosecutor General Sindh opposed the application for grant of bail.

5. Heard arguments and perused the record, which reflects that neither the applicant was directly nominated in the FIR, nor any specific role was attributed to him, but he was added as an accused at a later stage. The FIR was lodged after an inordinate delay of three days, whereas no reason for such a delay has been explained by the complainant. That even the alleged recovery has not been affected from the applicant, but the same has been recovered allegedly, from one Mst. Sumaira. The applicant is also in custody since last more than a year i.e. 25.04.2024. Furthermore, since the items have already been recovered hence, nothing is required to be recovered from the applicant by the Investigation Officer and no purpose would be served by keeping him behind bars for an indefinite period. The applicant is not a previous convict and there is no likelihood of his tempering with the prosecution evidence or witnesses if released on bail. Needless to mention that mere allegation of robbery of alleged articles and huge amount is no ground to decline the bail to the accused and applicant cannot be kept behind bars for an indefinite period. A case of further inquiry is therefore made out. In view of the above, the applicant is admitted to bail subject to his furnishing solvent surety in the sum of Rs.50,000/= (Rupees Fifty Thousand only) and P.R. Bond in the like amount to the satisfaction of the Nazir of this Court. The instant application, therefore, stands allowed.

6. Needless to mention that the observations herein are tentative in nature which shall not influence the learned trial Court while deciding the case of the applicant on merits.

JUDGE