

IN THE HIGH COURT OF SINDH AT KARACHI.

Cr. Bail Appln. No. 696 of 2026

Applicant : Abdul Ahad through Mr. Zulfiqar Ali Langah,
Advocate.

Respondent : The State through Mr. Muhammad Noonari,
Deputy Prosecutor General Sindh.

Date of hearing : 19.3.2026.

Date of order : 19.3.2026.

ORDER.

TASNEEM SULTANA-J:- Through this Criminal Bail Application, the applicant Abdul Ahad seeks post-arrest bail arising out of Crime No.144/2025 registered at Police Station Steel Town, Karachi, for offences punishable under Sections 376, 511, 377-B, P.P.C. Having been rejected his earlier Cr. Bail Appln. No. 1073 of 2025 by learned Additional Sessions Judge-V, Malir, Karachi vide order dated 04.06.2025, hence this application for the same concession.

2. Brief facts of prosecution case are that complainant, Naeem Ali, a labourer at KK Godown, on 26-02-2025, while at his workplace, received a phone call, that, a problem was happened at his house, Upon this, he immediately returned home, where his brother Faheem informed him that his minor daughter Komal, aged about 8/9 years, had gone at about 04:00 PM to purchase chilies from a nearby shop owned by the accused, Abdul Ahad. It is alleged that the accused drove away other children, took the minor inside the shop, removed her shalwar as well as his own, and attempted to commit an immoral act. The minor raised cries, whereupon other children gathered, and the accused, upon their arrival, left the child and fled. The victim returned home in a distressed condition and disclosed the occurrence, whereafter the complainant contacted the police by dialling 15. The police arrived at the spot and arrested the accused; hence, the present FIR was registered.

2. Learned counsel for the applicant contended that the applicant is innocent and has been falsely implicated due to mala fide intention and ulterior motives; that there are material contradictions in the prosecution case, particularly in the statement of the victim; that the medical report does not support the allegation as no fresh signs of violence have been observed; that the statement of the victim was recorded through an interpreter, creating doubt regarding its correctness; and that during cross-examination, the victim has not supported the prosecution case; hence, he prayed for concession of bail.

3. Conversely, learned Deputy Prosecutor General opposed the application and submitted that the victim is a minor girl of tender age; that her statement recorded under Section 164 Cr.P.C. implicates the applicant and is consistent with the prosecution case; that at the bail stage only tentative assessment is required and the statement of the victim alone is sufficient to connect the accused; and that the case falls within the prohibitory clause of Section 497 Cr.P.C. with no exceptional circumstances warranting grant of bail and requested for dismissal of post arrest bail application.

4. Heard. Record perused.

5. It appears that applicant has been nominated in the FIR with specific allegations that he took the minor inside his shop, removed her shalwar as well as his own, and attempted to commit an immoral act. The statement of the victim, who is a minor girl, was recorded under Section 164 Cr.P.C. in which she has fully implicated the present applicant and remained consistent with the prosecution story. Such statement, at bail stage, provides sufficient tentative corroboration to the prosecution case and carries significant evidentiary value. The Medical Officer also opined that although there was no fresh sexual assault upon victim girl, yet it seems someone tried to outrage her modesty by removing her shalwar. Thus, at this stage sufficient material is available on record to connect the applicant with the commission of offence.

6. Moreover, the offence alleged falls within the prohibitory clause of Section 497 Cr.P.C., carrying severe punishment, therefore, looking to the manner of occurrence and the gravity of the allegation, no lenient view could be taken in favour of the applicant.

7. In view of the above circumstances, the applicant has failed to make out a case for grant of concession of bail. Accordingly, this bail application was dismissed vide my short order dated 19-03-2026. These are the reasons of my short order.

JUDGE