

IN THE HIGH COURT OF SINDH KARACHI
Cr. Bail Application No.415 of 2026

Applicant : Ahad son of Muhammad Nawaz
Through M/S Muhammad Raees and
Syed Ali Asghar Bukhari, Advocates

Respondent : The State
Through Mr. Ali Raza Abbasi, APG

Date of hearing : 04.05.2026
Date of order : 13.05.2026

ORDER

MIRAN MUHAMMAD SHAH, J:- Through this bail application the applicant/accused Ahad son of Muhammad Nawaz, seeks post-arrest bail in Crime No.353 of 2024, registered at Police Station Gadap City Karachi, under sections 395, 397 and 34 PPC. Earlier his bail application was dismissed by the learned Additional Sessions Judge-VII, Malir Karachi East, vide order dated 27.01.20206.

2. The facts of the case need not to be reproduce herein, as the copy of FIR is attached with the bail application and the facts are also stated in detail therein.

3. I have heard learned counsel for the applicant, as well as learned APG and perused the record.

4. This is a heinous and cruel case of dacoity committed in the house of complainant Syed Shalal Hyder situated at Bahria Town Karachi, wherein 7/8 armed culprits, duly armed with deadly weapons, at mid night time entered the house of complainant with a pre-planned design and with complete disregard for human life and dignity. During the commission of the offence, one of the accused persons mercilessly placed a knife on the neck of the complainant's six-month-old maternal granddaughter, while another culprit pointed a pistol towards that innocent child, thereby using the helpless infant as a human shield and creating extreme terror amongst the family members. By putting the life of the minor baby in imminent danger, the

accused persons compelled the complainant and his family to disclose the location of valuables. Thereafter, the accused persons committed a massive dacoity and deprived the complainant party of gold ornaments valuing approximately Rs.1,20,00,000/-, cash amounting to Rupees Forty to Fifty lacs, licensed pistol and repeater, four mobile phones, and jewellery belonging to the complainant's wife. After committing the offence, the culprits unlawfully confined all family members in the lounge by covering them with a cloth sheet and fled away from the scene. Immediately after the departure of the accused persons, the complainant informed the Bahria Security authorities as well as Police Madadgar-15, who promptly reached the place of occurrence, inspected the crime scene and thereafter the complainant lodged the instant FIR without any delay, which excludes the possibility of deliberation or consultation. The prompt lodging of FIR lends strong corroboration to the prosecution case.

5. During the course of investigation, the present applicant along with co-accused Muhammad Imran and Ali Ahmed were arrested. They were duly identified by the complainant's daughter during the identification parade conducted before the learned Magistrate. Furthermore, during interrogation, recoveries were effected on their pointation. From accused Muhammad Imran, robbed original license book of pistol and cash amounting to Rs.15,000/- were recovered; from the present applicant, original licence book of repeater and cash amounting to Rs.7,000/- were recovered; whereas from co-accused Ali Ahmed, original NIC of the complainant along with cash amounting to Rs.5,000/- were secured. Such recoveries prima facie connect the accused persons with the commission of offence. All the prosecution witnesses, in their statements recorded under Section 161 Cr.P.C., have fully supported the prosecution story. At present, there appears no enmity, ulterior motive or ill-will on the part of the complainant party to falsely implicate the present applicant in such a serious

offence. The material collected by the prosecution prima facie shows active participation of the applicant in the commission of the offence. The brutal manner in which the offence was committed, particularly the use of an innocent six-month-old child as an instrument of terror to render the family members helpless and weak, constitutes not only a grave offence against humanity but also a heinous crime against society. The case has already been challaned, charge has been framed and the deposition of the complainant has been recorded, wherein also he has categorically supported the prosecution case in material particulars. The bail application of co-accused Muhammad Imran has already been dismissed by this Court, and the case of the present applicant stands on identical footing. The remaining prosecution witnesses are likely to be examined shortly. Keeping in view the gravity, severity and alarming nature of the offence, coupled with the incriminating material available on record, the confidence-inspiring identification parade, the recoveries effected from the accused persons, and the settled principles governing post-arrest bail in cases involving such offences punishable with severe sentences, I am of the considered view that the present applicant does not deserve the concession of bail at this stage. Consequently, this bail application is dismissed. However, the learned trial Court is directed to proceed with the case expeditiously and conclude the trial preferably within a period of three months, and submit progress reports before this Court through MIT-II.

6. Needless to mention here that the observation made herein above are tentative in nature and would not influence the trial court while deciding the case of the applicant on merits.

Criminal bail application stands disposed of.

JUDGE

