

IN THE HIGH COURT OF SINDH KARACHI
Cr. Bail Application No.288 of 2026

Applicant : Syed Asif Ali s/o Syed Achan Ali
Through Mr. Muhammad Naseeruddin,
Advocate

Complainant : Mehmood Abbas s/o Abbas Ali
Through Mr. Abdul Razaq Solangi,
Advocate

Respondent : The State
Through Mr. Zahoor Ahmed Shah, APG

Date of hearing : 04.05.2026
Date of order : 04.05.2026

ORDER

MIRAN MUHAMMAD SHAH, J:- Through this bail application, the applicant Syed Asif Ali s/o Syed Achan Ali, seeks pre-arrest bail in Crime No.1472 of 2025, registered at Police Station Korangi Industria Area, under sections 407, r/w 411 and 109 PPC. Earlier his bail application was dismissed by the learned Additional Sessions Judge-V, Karachi East, vide order dated 24.01.20206. He was admitted to interim pre-arrest bail by this court, vide order dated 28.01.2026, and the matter is now fixed for confirmation of the same or otherwise.

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, learned counsel for the complainant as well as learned APG and perused the record.

4. Admittedly, the name of the applicant does not transpire in the F.I.R. and he has subsequently been implicated during the course of investigation solely on the basis of the statement of co-accused/watchman

recorded by the police, alleging that the stolen oil was sold to the present applicant. It is settled law that the statement of a co-accused recorded before the police has no evidentiary value. Except this inadmissible and uncorroborated statement, no incriminating material has been brought on record connecting the applicant with the commission of the alleged offence. Furthermore, the alleged offence does not fall within the prohibitory clause of Section 497, Cr.P.C. In such cases grant of bail is a rule while refusal is an exception. The case of the applicant, therefore calls for further inquiry within the meaning of Section 497(2), Cr.P.C. There is nothing on record to suggest that he has misused the concession of bail. The applicant has joined the investigation as and when required and has fully cooperated with the investigating. In these circumstances, the applicant has successfully made out a case for confirmation of pre-arrest bail. Consequently, the interim pre-arrest bail already granted to the applicant vide order dated 28.01.2026 is hereby confirmed on the same terms and conditions.

5. 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. However, in case the applicant misuses the concession of bail in any manner, the trial court shall be at liberty to cancel the same after giving him notice, in accordance with the law.

Criminal bail application stands disposed of.

JUDGE

