

IN THE HIGH COURT OF SINDH KARACHI
Cr. Bail Application No.655 of 2026

Applicant : Muhammad Umar s/o Muhammad Faiz
Through Mr. Muhammad Ibrahim Hammad
Advocate

Respondent : The State
Through Mr. Tahir Hussain Mangi,
Assistant Prosecutor General Sindh

Date of hearing : 06.04.2026
Date of order : 06.04.2026

ORDER

MIRAN MUHAMMAD SHAH, J:- Through this application the applicant/accused Muhammad Umar son of Muhammad Faiz, seeks post-arrest bail in Crime No.1160/2025, registered under section 392, 397 and 34 PPC, at Police Station Surjani Town, Karachi. His earlier application for the same relief, bearing No.4843 of 2025, was dismissed, vide order dated 29.09.2025, by the learned Additional Sessions Judge-II, Karachi West.

2. The facts of the case are 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 Heard learned counsel for the applicant as well as learned APG. Admittedly, the present applicant was not nominated in the FIR. Subsequently, the allegedly snatched motorcycle is stated to have been recovered from his possession; however, such recovery has been shown to have been effected in the presence of police officials only, without associating any independent mashir, which renders the recovery doubtful at this stage. Furthermore, there is an unexplained delay of about three days in the lodging the FIR, which has not been satisfactorily explained by the prosecution. It is also noteworthy that no identification parade of the

applicant has been conducted. In these circumstances, the case of the applicant appears to be one of further inquiry within the meaning of Section 497(2) Cr.P.C., as it is yet to be determined, after recording evidence, whether the applicant is actually involved in the commission of the alleged offence or not. The applicant is behind bars for a considerable period, and the trial has not yet commenced. Learned APG has also not seriously controverted these factual aspects. Even otherwise, the grant of bail is not to be withheld as a matter of punishment, particularly where the case calls for further inquiry.

4. In view of the above circumstances, the applicant has succeeded in making out a case for grant of bail. Accordingly, he is admitted to post-arrest bail subject to furnishing solvent surety in the sum of Rs.100,000/- (Rupees One Hundred Thousand only) to the satisfaction of the learned trial Court.

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

