

IN THE HIGH COURT OF SINDH KARACHI
Cr. Bail Application No.2594 of 2025

Applicant : Ahmed Shah s/o Ghulam Mustafa
Through Mr. Nusrat Gul, Advocate

Respondent : The State
Through Mr. Tahir Mangi, APG

Date of hearing : 13.05.2026
Date of order : 13.05.2026

ORDER

MIRAN MUHAMMAD SHAH, J:- Through this bail application, the applicant/accused Ahmed Shah s/o Ghulam, Mustafa, seeks post-arrest bail in Crime No.228/2025, registered at Police Station Garden, under sections 377, 334-B/34 PPC. His earlier application for the same relief, was dismissed by the Court of learned Additional Sessions Judge-III/Special Court (ARITA-2021) Karachi South, vide order dated 26.08.2025.

2. The facts of the case need not be reproduced 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 and perused the record.

4. Perusal of the record reflects that the name of the applicant is mentioned in the FIR with a specific allegation of sexual assault upon the victim, who is a minor boy. The FIR was lodged by the father of the victim, and subsequently the victim, in his statement recorded under section 161 Cr.P.C., fully corroborated the version of the complainant. The medical evidence also supports the ocular account, as injuries were found on the body as well as the anal part of the victim. The victim is a minor boy and, prima facie, there appears no enmity or ulterior motive for falsely implicating the applicant in the present case. The complainant, in his evidence recorded

before the trial court has specifically implicated the applicant, while the statement of the victim is yet to be recorded, which may further strengthen the prosecution case. The alleged offence carries severe punishment and falls within the prohibitory clause. Such offences are considered heinous in nature, wherein concession of bail is not ordinarily extended. Learned counsel for the applicant also argued that the applicant has remained behind bars for about one year and that the trial is likely to consume further time; therefore, he may be released on bail. However, in offences of such nature, mere prolonged detention is not by itself a sufficient ground for grant of bail, particularly when the case is hardly one year old. Furthermore, the question of statutory delay cannot be considered at this stage, as the trial has already commenced and material prosecution evidence is yet to be recorded. In the circumstances of the case, particularly keeping in view the nature of allegations and the specific role attributed to the applicant, I am of the considered view that the applicant has failed to make out a case for grant of post-arrest bail. Consequently, the instant bail application is dismissed. However, the learned trial Court is directed to proceed with the matter expeditiously and conclude the trial preferably within a period of three months, and thereafter submit a compliance report to this Court through MIT-II.

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

The instant criminal bail application stands disposed of.

JUDGE

