

IN THE HIGH COURT OF SINDH KARACHI
Cr. Bail Application No.3585 of 2025

Applicant : Aslam Khan s/o Abdul Rehman
Through Mr. Munsif Khan, Advocate

Respondent : The State
Through Mr. Muhammad Mohsin Mangi
APG

Date of hearing : 04.05.2026
Date of order : 04.05.2026

ORDER

MIRAN MUHAMMAD SHAH, J:- Through captioned criminal bail application, the applicant/accused Aslam Khan son of Abdul Rehman, seeks post-arrest bail in Crime No.411/2025, registered under section 395 and 397 PPC, at Police Station Steel Town. His earlier application for the same relief was dismissed by the learned Additional Sessions Judge-VII, Malir Karachi vide order dated 10.12.2026.

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, learned APG and perused the record.

4. As per contents of FIR 7/8 unknown accused persons allegedly entered the farmhouse during nighttime, where complainant was serving as watchman, and, after tying the hands, legs and eyes of the complainant, committed the alleged offence of dacoity. Admittedly, the name of the present applicant/accused does not transpire in the F.I.R. The applicant was subsequently implicated only on the basis of an alleged identification conducted by the police after calling the complainant to the police station and showing him the applicant along with certain recovered articles, which

identification has no sanctity in the eye of law. No proper Identification Parade was ever conducted before a Magistrate in accordance with law. It is further evident from the record that neither any description/features of the culprits nor the source of light enabling the complainant to identify the accused during the dark hours of the night has been mentioned in the F.I.R. Learned counsel pointed out that on the statement of the present applicant, co-accused persons were arrested; however, after investigation, their names were placed in Column No.II, which fact itself renders the prosecution case doubtful and calls for further inquiry within the meaning of Section 497(2), Cr.P.C. Moreover, the applicant has remained behind bars for about one year and the trial is not likely to conclude in the near future. No previous criminal record or involvement of the applicant in any other case has been brought on record by the prosecution. The continued incarceration of the applicant for an indefinite period, before determination of guilt, would serve no useful purpose. In view of the above circumstances, the instant bail application is allowed. The applicant/accused is admitted to post-arrest bail subject to furnishing solvent surety in the sum of Rs.100,000/- (Rupees One Hundred Thousand only) and P.R. bond in the like amount 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.

Criminal bail application stands disposed of.

JUDGE

