

## IN THE HIGH COURT OF SINDH AT KARACHI

Cr. BA No. 837 of 2026

Applicant : Ayan Zakir Hussain S/o. Zakir Hussain  
Through Mr. Shah Imroz Khan, Advocate

The State : Through Mr. Tahir Hussain Mangi, D.P.G

Complainant : Ejaz Ahmed son of Muhammad Nawaz,

Date of hearing : 24.06.2026.

Date of order : 24.06.2026.

### ORDER

**Jan Ali Junejo, J.**— Applicant Ayan Zakir Hussain son of Zakir Hussain seeks post-arrest bail in a case bearing Crime No. 963/2025, for offence under section 397/34 PPC of P.S Darakshan, Karachi. Prior to this, the applicant had sought the same relief before the learned Additional Sessions Judge-IX, Karachi South, which was declined vide order dated 05.03.2026.

2. The facts relevant to the present criminal bail application are as follows:

“The complainant Ejaz Ahmed s/o Muhammad Nawaz states that he runs business in the name of RNE communication in Shop No.3 situated in Plot No.C-6, St-10, Badar commercial Phase-5, DHA and on 19.12.2025 at 10:30 p.m. he along with his staff (1) Muhammad Sajjad & (2) Muhammad Umair were present in shop than 03 persons came in my shop and one of them hit pistol butt on head of his brother Sajjad and on gun point they have taken (1) Samsung Mobile 5 different model (2) Vivo 07 mobiles (3) Infinix 08 different mobiles (4) Oppo 21 different models (5) one techno mobile (6) Google pixel one model 7-A (7) Honor, 6 Dabba Pack mobile and two used mobile, (8) Infinix Smart, Note 20 Ultra Samsung total 38 mobile, one camera DVR, cash Rs.80,000/- from cash counter, ATM Card and Credit Card and one color of CNIC of Sajjad and escaped good, he came to police station for report”

3. Per learned counsel for the applicant, applicant/accused is innocent and has been falsely implicated in the present case; the applicant was neither arrested from the sport nor any specific role has been assigned to him and that nothing was recovered from the possession of applicant; the applicant was implicated in this case on the basis of disclosure of co-accused Haris before police which is inadmissible under the law; the offence in which the applicant has been charge does not fall

within the prohibitory clause and urged that the applicant be extended the concession of bail.

4. The A. P. G. Sindh while not opposing the grant of bail, recorded his no objection to the instant application in view of the affidavit filed by the complainant, same is taken on record, wherein he has expressly raised no objection to the applicant being admitted to bail.

5. Notably, the complainant has since submitted a sworn affidavit in which he has raised no objection to the grant of bail to the applicant. This has resulted in two conflicting versions, one set forth in the FIR and the other contained in the complainant's affidavit. Such divergence creates a situation where the veracity of the complainant's statements and his credibility can only be determined at the time of trial, after the recording of evidence.

6. In light of the above circumstances and keeping in view the principles laid down under Section 497(2) Cr.P.C., the applicant has succeeded in making out a case of further inquiry. Accordingly, the applicant is admitted to post-arrest bail upon furnishing solvent surety in the sum of Rs.50,000/- (Rupees Fifty Thousand only) and a PR Bond in the like amount to the satisfaction of the learned trial court.

7. Before parting, it is observed that the findings recorded hereinabove are purely tentative in nature and shall not prejudice the case of either party during the course of trial. The trial Court shall evaluate the evidence independently and uninfluenced by any observation made in this order.

8. The applicant is directed to ensure regular attendance before the trial Court and shall not, in any manner, attempt to influence or interfere with the prosecution witnesses. Any violation of these conditions may entail cancellation of bail in accordance with law.

**J U D G E**