

IN THE HIGH COURT OF SINDH AT KARACHI

Criminal Bail Application No.1157 of 2026

Applicant : Aijaz Ahmed son of Muhammad Ikram,
through Mr. Muhammad Imran Shamsi,
Advocate

Complainant : Fayaz Ahmed through Mr. Sameer
Hussain Samo, Advocate.

Respondent : The State
Through Ms. Rubina Qadir, Addl. P.G,
Sindh.

Date of hearing : 30.07.2026

Date of order : 30.07.2024

ORDER

AMJAD ALI SAHITO, J -- Through this Bail Application, the applicant/accused seeks post-arrest bail in Crime No.2107 of 2025 registered under Sections 452, 354, 337-A(i) PPC at Police Station Sachal, Karachi, after his bail plea has been declined by the learned IVth Additional Sessions Judge, Karachi-Malir, vide order dated 04.02.2026.

2. The details and particulars of the FIR are already available in the bail application and FIR, same could be gathered from the copy of FIR attached with such application, hence, needs not to reproduce the same hereunder.

3. Learned counsel the applicant/accused mainly contended that the applicantd/accused is innocent and has falsely been implicated in this case by the complainant. He further submits that as per medical certificate, the complainant has received injuries on his ribs; however, from the face of FIR, nowhere the complainant has disclosed that he has received injuries on his ribs. Learned counsel for the applicant/accused further submits offence in which the applicant has been charged does not falls within the prohibitory clause of Section 497 Cr.P.C as such he is entitled to concession of bail.

4. On the other hand, learned counsel for the complainant as well as A.P.G, Sindh vehemently opposed for grant of bail; however, when confronted learned counsel for the complainant as well as APG, Sindh whether there is any evidence available on record which

shows that the injured has received injuries on his ribs and the medical certificate issued by the doctor declaring the injuries in Section as 333-F(vi); they replied in negative.

5. Heard and perused the record.

6. Admittedly, the offence with which the applicant/accused has been charged does not fall within the prohibitory clause of Section 497 whereas grant of bail is a rule and refusal is an exception, no exception has been pleaded by the learned counsel for the complainant as well as learned APG to refuse him bail. Further, the applicant/accused is not previously convicted in any case nor he is hardened criminal. The applicant/accused is in Jail for last one year, no meaningful development is made before the learned trial Court. As per medical certificate, the complainant has received broken injuries on his ribs; however, nowhere in the FIR, the complainant has disclosed that he has received injuries on his ribs. All these aspects will be examined and determined when the evidence will be recorded. At bail stage only a tentative assessment is to be made and deeper appreciation is not permissible.

7. In view of the above, learned counsel for the applicant/accused has made out a case for grant of bail in terms of subsection 2 of Section 497 Cr.P.C. Accordingly, the instant Bail Application is **allowed**. The applicant/accused is granted bail subject to his furnishing solvent surety in the sum of Rs.50,000/- (Rupees Fifty Thousand only) and PR bond in the like amount to the satisfaction of the learned trial Court.

8. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the learned trial Court while deciding the case of the applicant/accused on merits.

JUDGE

Hyder/PS*