

**IN THE HIGH COURT OF SINDH AT KARACHI**

Criminal Bail Application No. 3370 of 2025

Applicant : **Ahmed Javed** through M/s Asif Ibrahim and Mohammad Mukhtar, Advocates.

Respondent : The State through Ms. Seema Zaidi, A.P.G. Sindh

Date of hearing : 16.3.2026.

Date of order : 16.3.2026.

**ORDER**

**TASNEEM SULTANA-J.**:-Through this Criminal Bail Application, Applicant Ahmed Javed seeks post-arrest bail in case arising out of F.I.R No. 1104/2025, registered at P.S. Ferozabad, for offences punishable under Sections 279, 337-G, 324, 427, 34 P.P.C. Having been rejected his earlier post arrest bail application No.5682/2025 by learned Additional Sessions Judge-I, Karachi East vide order dated 28.11.2025, hence this application for same concession.

2. The details and particulars of FIR are already available in the bail application and FIR. Same could be gathered from the copy of FIR attached with the bail application, hence need not to produce hereunder.

3. Learned counsel for the Applicant contended that the Applicant is innocent and has been falsely implicated in the present case with mala fide intention and ulterior motives; that no specific and independent role has been attributed to the Applicant except a general and vague allegation of aerial firing; that no injury by firearm has been caused to any person, no damage through firearm has been reported, and even no empty shell has been recovered from the place of incident, which creates serious doubt in the prosecution story; that the offences do not fall within the prohibitory clause of Section 497 Cr.P.C., and the case requires further inquiry within the meaning of Section 497(2) Cr.P.C.

4. Conversely, learned A.P.G opposed the bail application on the ground that the Applicant was apprehended at the spot.

5. Heard. Record perused.

6. Perusal of the F.I.R. reflects that the principal allegation of rash and negligent driving is against co-accused Waqas, whereas the present applicant has been assigned the role of firing and extending threats to the complainant party. The record further reflects that, despite the allegation of firing, the complainant side did not sustain firearm injury, nor has the motorcycle been shown to have suffered damage on that account. It further appears that the

weapon allegedly recovered from the present applicant is stated to be licensed. In these circumstances, the allegation against the present applicant prima facie calls for further inquiry within the meaning of section 497(2), Cr.P.C. Reliance is placed on case of **SYED AMANULLAH SHAH versus THE STATE (PLD 1996 Supreme Court 241)**, relevant portion whereof is reproduced as under:—

“So whenever reasonable doubt arises with regard to the participation of an accused person in the crime or about the truth/probability of the prosecution case and the evidence proposed to be produced in support of the charge, the accused should not be deprived of benefit of bail. In such a situation, it would be better to keep an accused person on bail than in the jail, during the trial. Freedom of an individual is a precious right. Personal liberty granted by a Court of competent jurisdiction should not be snatched away from accused unless it becomes necessary to deprive him of his liberty under the law. Where story of prosecution does not appear to be probable, bail may be granted so that further inquiry may be made into guilt of the accused.”

7. In view of above facts and circumstances, the applicant was admitted to bail, subject to furnishing solvent surety in the sum of Rs.50,000/- and P.R. bond in the like amount to the satisfaction of the learned trial Court. These are the reasons of my short order dated 16-03-2026

8. The observations made hereinabove are tentative in nature and shall not prejudice the case of either party at trial.

**JUDGE**