

IN THE HIGH COURT OF SINDH AT KARACHI

Criminal Bail Application No. 1238 of 2026

Applicant : Muhammad Ibrahim
son of Ghulam Muhammad
Through Mr. Rustom Khan, advocate

Complainant : Nazeer Ahmed
son of Muhammad Rafi
Through: Nemo

The State : Through Mr. Sharafuddin Kanhar,
Assistant Prosecutor General Sindh

Date of hearing : 28.08.2026

Date of Order : 28.08.2026

ORDER

Jan Ali Junejo, J:-- Through this order, I intend to decide the instant post-arrest bail application filed under Section 497 Cr.P.C. by the applicant namely Muhammad Ibrahim son of Ghulam Muhammad, who seeks his release on bail in connection with FIR No.470 of 2026 registered at Police Station Sachal, Karachi for the offences punishable under Sections 397 and 34 PPC. The applicant has approached this Court being aggrieved by the order dated 07.04.2026 passed by the learned Additional Sessions Judge-I/(MCTC), Malir at Karachi whereby his bail application was declined.

2. Briefly stated the prosecution case as reflected in the FIR is that on 14.03.2026 complainant Nazeer Ahmed was proceeding from Ghazi Goth to Ayoub Goth on his Motorcycle bearing Registration No. KKZ-6552, Model 2017 and when he reached at Ghazi Goth near Chandia Chowk Scheme 33, Karachi at about 1400 hours, where two unknown accused committed robbery of his motorcycle and mobile phone on the force of weapon and fled away from the scene, hence, instant FIR was lodged.

3. Learned counsel for the applicant has advanced his submissions with vehemence and argued, inter alia, that the applicant is innocent and have falsely been implicated in this case; that co-accused namely Ayoub son of Bayan Muhammad has been released on bail and the case of the

applicant is identical to the case of co-accused as such, he is entitled for concession of bail. Lastly, he prays for post-arrest bail to the applicant.

4. Conversely, learned APG vehemently opposed the grant of bail and submitted that the offence involves robbery at gunpoint which is a serious offence affecting the society at large. He finally prayed for dismissal of the bail application.

5. I have heard the learned counsel for the applicant as well as the learned Assistant Prosecutor General and have perused the material available on record with their able assistance.

6. Since, co-accused Ayoub son of Bayan Muhammad on same sort of allegations is already on post-arrest bail granted by the learned trial court vide order dated 21.08.2026 on the no objection of complainant, therefore, applicant also deserves same concession on the rule of consistency. Reliance can be placed on case titled as Pir Bakhsh v. The State and others [2010 MLD 220], wherein it is held,

“6. Rule of consistency is always taken into consideration by the Courts since long because a person cannot be denied for the grant of bail whose case is at par of an accused who had already been released on bail. The Courts have to give equal treatment to the accused persons having one and the same role in the same case. Reliance upon the cases of Muhammad Fazal alias Bodi v. The State (1979 SCMR 9), Khadim Hussain v. The State (1983 SCMR 124), Manzoor Ahmad and others v. The State (PLJ 1999 Cr.C. (Lahore) 570) and Muhammad Daud and another v. The State and another (2008 SCMR 173). As the case of the petitioner is at par with that of his co-accused Zulifqar and Ghulam Rasool who had already been allowed bail by the learned Additional Sessions Judge, therefore, following the rule of consistency, the petitioner is also entitled to the bail.”

7. Keeping in view the above facts, prima facie applicant has succeeded to make out case for further inquiry, as envisaged under Section 497(2) Cr.P.C. Accordingly, he is admitted to bail in sum of Rs.50,000/- (Rupees Fifty thousand only) subject to furnish solvent surety and P.R. bond in the like amount to the satisfaction of the learned trial Court.

It is, however, observed that the findings recorded herein are tentative in nature, made solely for the purpose of deciding the present bail application, and shall not prejudice the case of either party during the course of trial.

JUDGE