

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
Criminal Bail Application No. 465 of 2024  
(Ahmed Khan v. The State)

Date	Order with signature of Judge
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For hearing of bail application

**22.04.2024**

Mr. Mukhtiar Ali, advocate for the applicant

Mr. Habib, advocate for the complainant

Mr. Abrar Ali Khichi, Additional Prosecutor General Sindh

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It is alleged that the applicant with one more culprit in furtherance of their common intention attempted to subject baby Alisha to rape and in that way they torn her cloth, for that the present case was registered.

The applicant on having been refused bail by learned V-Additional Sessions Judge, Malir, Karachi, has sought for the same from this Court by way of instant bail application under Section 497 Cr.P.C.

It is contended by learned counsel for the applicant that the applicant being innocent has been involved in this case falsely by the complainant party only to settle with him the matrimonial and property dispute, therefore, he is entitled to be released on bail on point of further inquiry, which is opposed by learned Addl. PG for the state and learned counsel for the complainant by contending that the offence is affecting the society at large.

Heard arguments and perused the record.

The FIR of the incident has been lodged with delay of about 08 days; such delay having not been explained plausibly could not be overlooked; it is reflecting consultation and deliberation. The 161 Cr.PC statement of the victim baby Alisha has been recorded with further delay of 03 months approximately. No explanation to such delay is offered by the prosecution. The case has finally been challaned and there is no likelihood of absconsion or tampering with the evidence on the part of the applicant. In these circumstances, a case for release of the applicant on bail on point of further inquiry is made out.

In view of above, the applicant is admitted to bail subject to his furnishing surety in sum of Rs.50,000/- (Rupees Fifty Thousand only) and P.R bond in the like amount to the satisfaction of the learned trial Court.

Instant bail application is disposed of accordingly.

J U D G E