

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

Cr.B.A.No.1818 of 2019

Before:
Mr. Justice Muhammad Iqbal Kalhoro
Mr. Justice Irshad Ali Shah

Syed Abbas Hussain s/o Syed Akbar Hussain..... Applicant
Versus

The State Respondent

Date of Hearing: 27.02.2020

Date of Decision: 27.02.2020

Mr. Muhammad Farooq, advocate for applicant.

Mr. Ali Haider Saleem, DPG.

ORDER

IRSHAD ALI SHAH, J:- It is alleged that the applicant Syed Abbas Hussain son of Syed Akbar Husain allegedly with rest of the culprits in furtherance of their common intention by resorting to terrorism committed Qatl-i-Amd of Mufti Ghulam Akbar and Mufti Kamran Hussain by causing them fire shot injuries, for that he was booked and reported upon.

2. The applicant on having been refused post arrest bail by learned Judge Anti-Terrorism Court No.XI Karachi has sought for the same from this Court by way of the instant application u/s 497 Cr.P.C.

3. It is contended by learned counsel for the applicant that the applicant being innocent has been involved in this case falsely by the police on the basis of statement of co-accused Syed Muhammad Abbas, which could hardly be treated as evidence, as such his involvement in the alleged incident is calling for further enquiry. By contending so, he sought for release of the applicant on bail, pending trial.

4. Learned DPG for the State has opposed to grant of bail to the applicant. By contending that he after committing the alleged incident has preferred to go in absconsion.

5. We have considered the above arguments and perused the record.

6. The name of the applicant is not disclosed in the FIR; though it is lodged with delay of about two days. The applicant has been involved in commission of the alleged incident on the basis of statement of co-accused Syed Muhammad Abbas, which appears to be significant. There is no recovery of any sort from the applicant even after his arrest. In these circumstances, it is rightly being contended by learned counsel for the applicant that the involvement of the applicant in commission of the alleged incident is calling for further enquiry.

7. In view of above, the applicant is admitted to bail subject to his furnishing surety in the sum of Rs.300,000/- and P.R. bond in the like amount to the satisfaction of the learned trial Court.

8. The instant application is disposed of accordingly.

JUDGE

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