

ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI

Criminal Bail Application No. 893 of 2022
(*Muhammad Saif vs. The State*)

DATE	ORDER WITH SIGNATURE OF JUDGE
------	-------------------------------

For hearing of bail application

14.07.2022

Khawaja Muhammad Azeem advocate for the applicant
Mr. Zahoor Shah Addl. P.G

IRSHAD ALI SHAH, J. It is alleged that the applicant attempted to commit rape with baby Anamata girl aged about 11/12 years, for that he was booked and reported upon.

The applicant on having been refused bail by learned Additional Sessions Judge-X, Karachi West has sought for the same from this Court by way of instant bail application u/s 497 Cr.P.C.

It is contended by learned counsel for the applicant that applicant being innocent has been involved in this case falsely by the complainant; the FIR has been lodged with delay of about three hours; the DNA report is not implicating the applicant in the commission of the offence and at the most it is the case of molestation, therefore, the applicant is entitled to be released on bail on point of further inquiry.

None has come forward to advance arguments on behalf of the complainant, however, learned Addl. P.G for the State has opposed to release of applicant on bail by contending that he was apprehended at the spot.

Heard arguments. Perused record.

No rape has taken place; the delay of mere hours in lodgment of FIR could not be overlooked; the case has finally been challaned and there is no apprehension of tempering with the evidence on the part of applicant. In these circumstances, the applicant is found entitled to be released on bail on point of further inquiry.

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

The instant bail application is disposed of accordingly.

JUDGE