

IN THE HIGH COURT OF SINDH AT KARACHI

Present:

Mr. Justice Amjad Ali Sahito

Criminal Bail Application No.688 of 2022

Applicant : Abbas Afridi S/o Inayat Afridi
through Mr. Tariq Mehmood, Advocate

Respondent : The State
Through Ms. Abida Parveen Channar
Special Prosecutor ANF a/w SIP Ehsan
ANF

Date of hearing : 05.01.2023

Date of order : 05.01.2023

ORDER

AMJAD ALI SAHITO, J -- Through this Bail Application, applicant/accused seeks post-arrest bail in FIR No.04/2016 registered under Sections 6/9-C, 14/15 of CNS Act, 1997 of PS ANF-I, Karachi after his bail plea has been declined by the learned Incharge Judge, Special Court No.1 (C.N.S.), Karachi vide order dated 29.03.2022.

2. The details and particulars of the FIR are already available in bail application and the FIR, as such, need not to reproduce the same hereunder.

3. Per learned counsel, applicant/accused is innocent and has falsely been implicated in this case by the complainant with malafide intention and ulterior motives; that the name of the applicant/accused does not transpire in the FIR; that only on the basis of statement of co-accused Saif-ur-Rehman, applicant/accused has been booked in this case; that the applicant/accused is in jail and is no more required for further enquiry.

4. On the other hand, learned Special Prosecutor ANF has vehemently opposed for grant of bail.

5. I have heard the learned counsel for the parties and have perused the material available on record.

6. Admittedly, name of the applicant/accused does not find place in the FIR and on the basis of statement of co-accused Saif-ur-Rehman, he has been implicated in this case, otherwise nothing has come on record to connect the present applicant/accused with the commission of offence.

7. Considering the above circumstances, I am of the view that the applicant/accused has succeeded to make out a case for grant of post-arrest bail and consequently the instant bail application is allowed. The applicant/accused above named is granted bail subject to his furnishing solvent surety in the 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.

8. The observations made supra are tentative in nature and learned trial Court shall decide the case of the applicant/accused specifically on merits.

JUDGE

Kamran/PA