

## IN THE HIGH COURT OF SINDH AT KARACHI

Present:

**Mr. Justice Amjad Ali Sahito**

Criminal Bail Application No.1914 of 2022

Applicant : Nazeer Mohammad @ Khan Wazeer S/o  
Syed Rasool  
None present.

Complainant : Mushtaq Ahmed S/o Abdul Majid present  
in person.

Respondent : The State  
Through Mr. Muntazir Mehdi, Addl.  
Prosecutor General, Sindh

Date of hearing : 03.01.2023

Date of order : 03.01.2023

### **ORDER**

**AMJAD ALI SAHITO, J** -- Through this Bail Application, applicant/accused seeks post-arrest bail in FIR No.845/2021 registered under Sections 396/302/34 PPC at PS Sir Syed, Karachi, after his bail plea has been declined by Addl. Sessions Judge-VII/MCTC-02, Karachi Central vide order dated 12.02.2022.

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. None present for the applicant. No intimation is received. The instant bail application was presented on 29.09.2022. Since then no progress has been made. Through this application, applicant/accused has impugned the order dated 12.02.2022 passed by learned Additional Sessions Judge-VII/Model Criminal Trial Court-02, Karachi Central wherein the bail plea of the applicant/accused was dismissed. From perusal of record, it reflects that claim of the applicant is that he is innocent and has falsely been implicated in this case. whereas, complainant present

in person states that his son was going to Ammar Mobile Market Sector 11-C North Karachi with his friends when applicant/accused upon show off weapon snatched mobile phone and cash from him and subsequently fired at him and fled away. Thereafter, his son passed away during treatment. However, after the arrest of the applicant/accused, recovery was effected from his possession so also eye-witnesses Salahuddin and Waheed have also identified him during identification parade. He lastly prays for dismissal of the instant bail application. Learned Addl. P.G. also vehemently opposes for grant of post-arrest bail to the applicant/accused.

5. I have heard the complainant and learned Addl. P.G. and have gone through the material available on record.

6. Admittedly, FIR of the incident was registered against unknown persons but after the arrest of present applicant/accused, recovery was effected from his possession, as such, he was booked in this case. The eye witnesses Salahuddin and Waheed have also identified the accused during identification parade and also supported the version of the complainant. The cases of robbery and snatching are alarmingly increasing in Karachi day by day and in order to curb the situation, it is appropriate to take action against the culprits involving in such crimes.

7. In view of the above, *prima facie* applicant/accused has failed to make out a case for grant of post-arrest bail. Accordingly, the instant Bail Application is dismissed. However, the learned trial Court is directed to expedite the matter and conclude the same preferably within sixty days(60) days from the date of receipt of this order.

8. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the learned trial Court while deciding the case of the applicant on merits.

JUDGE