

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH KARACHI**

Crl. Bail Application No. 569 of 2023

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<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGES</b>
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For hearing of bail application.

**31-03-2023**

Mr. Farrukh Sharif, Advocate for applicant.  
Mr. Abrar Ali Khichi, Addl.P.G.

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**Omar Sial, J:** Ahmed Faraz has sought post arrest bail in crime number 954 of 2022 registered under sections 381, 383 and 384 P.P.C. at the Ferozabad police station. Earlier, his application seeking bail was dismissed on 3.3.2023 by the learned 12<sup>th</sup> Additional Sessions Judge, Karachi East.

2. A background to the case is that the aforementioned F.I.R. was registered on 26-12-2022 on the complaint of Ilma Hashmi who reported an incident that had occurred between 10-10-2021 and 23-9-2022. She reported that her brother Bilal Hashim had introduced to her one Syed Mohsib Ali who started working with the complainant against a salary of Rs.70,000. On 10.10.2021 complainant left for Pakistan and proceeded to United States and when she returned to Pakistan on 8-12-2021 she found that a number of valuables were missing from her house. She also alleged that upon her inquiries, Mohsib Ali started blackmailing her and generated a fake internet I.D. in her name apart from extorting money from her to the tune of rupees 8 million. On 23-7-2022 the complainant again went to United States and on her return she also found some valuables were also missing from her house, she therefore registered an F.I.R. against Mohsib Ali and his friend Ahmed Faraz (applicant).

3. Learned Addl.P.G. has explained to me that the recovery was effected of some stolen goods from the house of Mohsib Ali however on the pointation of the applicant.

4. I have heard the learned counsel for the applicant and the learned Addl.P.G. None has effected an appearance on behalf of the complainant despite notice. My observations and findings are as follows:

5. The narration in the F.I.R. in itself makes this case one of further inquiry as two times complainant returned to Pakistan from the United States and found some valuables missing from her house. No recovery has been made from the applicant apart from the fact that he only lead the police to the house of co-accused Mohsib Ali from where the recovery has been made. It further appears from the record that the applicant has made out a case to inquiry under section 381 P.P.C. The sentence provided under section 381 P.P.C. is up to 7 years although not bailable falls within the non-prohibitory clause of section 497 Cr.P.C. Keeping in mind the principles enunciated in the Tariq Bashir and 5 others vs The State (PLD 1995 SC 34) in mind I do not see any exceptional or extraordinary grounds to deny the applicant bail.

6. In view of the above, the applicant is admitted to post arrest bail subject to his furnishing a solvent surety in the sum of Rs. 200,000 and a P.R. Bond in the like amount to the satisfaction of the learned trial court.

JUDGE