

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
CrI. Bail Application No. 1289 of 2023

Date

Order with signature of Judge

For hearing of bail application.

12th July 2023

Mr. Muhammad Ashraf Samoo, advocate for the applicant.
Mr. Talib Ali Memon, APG alongwith SIP Muhammad Ashraf

Admittedly, the complainant is not eye witness to the incident. The applicant was not nominated as accused in the FIR, on the contrary he was chowkidar at the cattle farm of the complainant. The FIR reflects that the applicant was also detained by assailants and thereby they removed the chattels of the complainant. According to the FIR, the accused released eye witnesses at 5:00 hours but they failed to intimate the complainant with regard to the alleged offence. Even the FIR is delayed for about 12 hours, for which no plausible explanation has been furnished. Investigation Officer present is unable to provide details of the theft property as well as about progress in the investigation. It is well settled that no purpose would be served to keep an accused in jail for an indefinite period.

Under these circumstances, case of the applicant falls within purview of sub section (2) of section 497 Cr.P.C. Accordingly, applicant is admitted to post arrest bail subject to his furnishing solvent surety in the sum of Rs.30,000/- (Rupees thirty Thousand Only) and P.R. bond in the like amount to the satisfaction of the trial Court. However, SSP District West Investigation shall ensure recovery of stolen property by assigning the task to a competent officer not below the rank of DSP.

The instant Bail Application is disposed of accordingly.

J U D G E

