

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
Criminal Bail Application No. 701 of 2024  
(Daniyal son of Muneer v. The State)

Date	Order with signature of Judges
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For hearing of bail application

**07.05.2024**

Mr. Aamir Mansoob Qureshi, advocate for the applicant  
Mr. Mumtaz Ali Shah, Assistant Prosecutor General for the State  
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It is alleged that the applicant with the rest of the culprits in furtherance of their common intention murdered Arman a young boy of 18 years of age by causing him fireshot injuries, for which the present case was registered.

The applicant having been refused bail by learned IVth-Additional Sessions Judge, Karachi, Malir, has sought 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 the applicant being innocent has been involved in this case falsely by the police based on vicarious liability, therefore, he is entitled to be released on bail on the point of further inquiry. In support of his contentions, he relied upon the cases of *Saeed Ullah and 2 others v. The State and another* ( 2023 SCMR 1397) and *Junaid Ali v. the State through Advocate General, Khyber Pakhtunkhwa and another* ( 2023 SCMR 514).

Learned Asstt. PG for the State has sought dismissal of the instant bail application by contending that he is vicariously liable for the commission of the incident.

Heard arguments and perused the record.

The FIR of the incident has been lodged by ASI Abdul Ghafoor on behalf of the *State*; it does not contain the name of the applicant; it was disclosed by Mst. Shahida Begum based on information conveyed to her by P.W Adnan that the deceased was done to death by Sumair

by causing him fire shot injuries. The role attributed to the applicant in the commission of the incident is only to the extent that the place of the incident was owned by him. In such a situation, his involvement in the commission of the incident on vicarious liability could only be determined at trial. The case has finally been challaned and there is no likelihood of absconsion or tampering with the evidence on the part of the applicant. In these circumstances, a case for the release of the applicant on bail on the point of further inquiry is made out.

Under the given circumstances, the applicant is admitted to bail subject to his furnishing surety in the sum of Rs.200,000/- (Rupees Two Lacs Only) and P.R bond in the like amount to the satisfaction of the trial Court.

Instant bail application is disposed of accordingly.

J U D G E

Nadir\*