

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Criminal Bail Application No.423 of 2024
(Gul Muhammad and another v. The State)

Date	Order with signature of Judge
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For hearing of bail application

15.05.2024

Mr. M. Afzal Roshan, advocate for the applicants
Mr. Mumtaz Ali Shah, Assistant Prosecutor General Sindh

It is alleged that the applicants with the rest of the culprits took away 50 goats owned by complainant Muhammad Mubashir when those were being shifted from one to another place through a loader by its driver Zubair, for which the present case was registered.

The applicants having been refused bail by learned Xth-Additional Sessions Judge, Karachi, East, have sought the same from this Court by way of instant bail application under Section 497 Cr.P.C.

It is contended by learned counsel for the applicants that the applicants are innocent and have been involved in this case falsely by the police in a blind FIR, therefore, they are entitled to be released on bail on the point of further inquiry, which is opposed by learned Assistant PG for the State by contending that on arrest from the applicants have been secured 20 goats and crime weapons.

Heard arguments and perused the record.

The names of the applicants are not appearing in the FIR; they have not been subjected to an identification parade through the Magistrate. The recovery is alleged by the applicants to have been foisted upon them by the police by arranging the same from local market. The case has finally been challaned and there is no likelihood of absconsion or tampering with the evidence on the part of the applicants. In these circumstances, a case for the release of the applicants on bail on point of further inquiry is made out.

Under the given circumstances, the applicants are admitted to bail subject to their furnishing surety in the sum of Rs.50,000/- (Rupees Fifty Thousand only) each and P.R bond in the like amount to the satisfaction of the learned trial Court.

Instant bail application is disposed of accordingly.

J U D G E