

ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI

Crl. Bail Application No. 1588 of 2018

Date

Order with signature of Judge

For hearing of bail application.

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21.12.2018

Mr. Gul Hassan Baloch, advocate for applicant.
Mr. Abrar Ali Khichi, Addl. P.G. Sindh alongwith
ASI Raja Qadeer, P.S. Sher Shah.

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Applicant is involved in a case of commission of robbery. Learned counsel for the applicant contends that though applicant was arrested at spot but no recovery was effected; he is juvenile under the age of 15 years. Learned counsel refers sub section 5 of Section of Section 10 of **Juvenile Justice System Ordinance, 2000** and contends that if applicant is under the age of 15 years and punishment provided is 10 years then offence would be treated as bailable; hence applicant is entitled for concession of bail.

In contra, learned Addl. P.G. Sindh contends that street crime is routine matter in Karachi and yet it is to be decided by the trial Court that he is juvenile under Section 7 of Juvenile Justice System Ordinance, 2002, hence, he is not entitled for concession of bail.

Plane reading of referred section shows that the offence against applicant falls under section 392 PPC, which is punishable upto three years even same is not falling within prohibitory clause. With regard to applicability of section 397 PPC, learned counsel for the applicant

contends that same is not applicable as is this is not a case of causing grievous hurt. Admittedly, applicant is not involved in any other case of same nature; no recovery was effected; offence does not fall within the prohibitory clause; according to sub-section 5 of Section 10 applicant is under the age of 15 years, hence, that section is treated as bailable; Accordingly, the applicant is admitted to post arrest bail in the sum of Rs.50,000/- and P.R. Bond in the like amount to the satisfaction of the trial Court.

The bail application stands disposed of in the foregoing terms.

JUDGE

Sajid

ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI
Crl. Bail Application No. 1287 of 2018

Date

Order with signature of Judge

For hearing of bail application.

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21.12.2018

Mr. Muhammad Riaz, advocate for applicant.
Mr. Abrar Ali Khichi, Addl. P.G. Sindh.

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Applicant is involved in a case of Narcotics with the recovery of 2050 grams of charas; he is in custody since 13.05.2018; trial Court's report reflects that "It is earnestly bring to the notice of Hon'ble Judges of the august Court that there is heavy board of more than 3470 cases are filed, hence, expected time of ten month for examination of prosecution witnesses and conclusion of trial is required." Applicant is not involved in any other case; he is allegedly first offender and is behind the bars for more than seven months. Accordingly, applicant is admitted to post arrest bail in the sum of Rs. 50,000/- and P.R. Bond in the like amount to the satisfaction of the trial Court.

JUDGE