

IN THE HIGH COURT OF SINDH, KARACHI

Crl.Bail.Appln.No. 169 of 2025

Before

Mr.Justice Ali Haider Ada

Sadam s/o Qadir Memon : Mr. Ali Asghar Dholo, Advocate
applicant, through

Khem Chand, complainant : Mr. Qammeruddin Nohr DPG
through

The State, respondent, through : Mr.Qammeruddin Nohr DPG

Date of hearing : 24.02.2025

Date of Order : 24.02.2025

ORDER

ALI HAIDER ADA---J.,The applicant seeks post arrest bail in crime No. 448 of 2024 registered at Police Station Thatta, for an offence under Section 324, 353, 401, 398, 34 PPC has been lodged by complainant.

2. The facts of the prosecution case as per FIR being crime No. 448 of 2024 in which is stated that the complainant SIP Raja Zafar Iqbal alleging that on spy information of FIR No. 445 of 2024 when they reached at the pointed place, in which where accused party has been firing, in which one of the accused raised voice that Sadam Memon fired upon him, as such injured accused was apprehended who disclosed his name as Shabbir as per his statement, the Sadam applicant is involved.

3. Learned counsel for the applicant submits that applicant is not arrested at the spot as encounter is mala fide in nature and even on the statement of co-accused Shabbir, the present applicant is involved.

4. Learned DPG supports the order of learned trial Court on the instance that offence falls under the prohibitory clause and let the evidence is to be leaded, further submits that the subsequent FIR was also registered against the applicant under police encounter therefore he is not entitled for post arrest bail.

6. Heard and perused the material available on record.

7. Record reflects that the applicant is involved due to the statement of co-accused and no recovery was affected from the hands of present applicant, In view of the foregoing circumstances, the applicant/accused is admitted to post arrest bail subject to his furnishing solvent surety in the sum of Rs.50,000/= and P.R.Bond in the like amount to the satisfaction of learned trial Court.

Note:- The observations made herein above are tentative in nature and will not prejudice case of either party at the trial.

J U D G E

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