

IN THE HIGH COURT OF SINDH KARACHI

CR. BAIL APPLICATION NO.2040 OF 2025

Applicants : Naseebullah s/o Khan Badshah,
through Mr. Imtiaz Ali Awan
Advocate

Respondent : The State
through Ms. Rahat Ahsan,
Additional Prosecutor General

Date of hearing : 17th September 2025

Date of order : 24th September 2025

ORDER

Omar Sial, J.: Naseebullah seeks post-arrest bail in crime number 352 of 2025 registered under sections 353, 324, 186, and 34 P.P.C. at the Clifton police station. A.S.I Waheed-ur-Rehman registered the F.I.R., on behalf of the State, on 23.06.2025. Waheed reported that earlier that day a police party was on routine patrol when it saw three suspicious persons on a motorcycle. The motorcyclists were asked to stop, but they opened fire on the police. In a police retaliation, the applicant was caught while his companions managed to escape. A pistol was recovered from the applicant, while the motorcycle was found to be stolen.

2. I have heard the learned counsel and the learned Additional Prosecutor General.

3. An offence under Section 353 PPC is bailable. Admittedly, this is a case of ineffective firing and no one either from the police party or accused person sustained any injury nor any damage was caused to government or private property. Under the circumstances, it is yet to be determined as to whether the case of the applicant falls within the purview of Section 324 PPC or not which is to be decided at the time of trial by the trial Court.

4. The learned Trial Court appears to be swayed by the fact that because the applicant has a past crime record he does not deserve the concession of bail. In this case however he has made out a case for grant of bail on the ground of further inquiry.

5. Above are the reasons for the short order dated 17.09.2025, in terms of which post arrest bail was granted to the applicant.

JUDGE