

IN THE HIGH COURT OF SINDH KARACHI

CRL. BAIL APPLICATION NO. 1651 OF 2025

CRL. BAIL APPLICATION NO. 1652 OF 2025

Applicant	:	Aizaz Ali s/o Javed Ali, through Mr. Rashid Wassan, Advocate
Complainant	:	Faizan through Mr. Mateeullah Gondal, Advocate
Respondent	:	The State through Ms. Rahat Ahsan, Additional Prosecutor General
Date of hearing	:	23 rd September 2025
Date of Order	:	09 th October 2025

ORDER

Omar Sial, J.: Aizaz Ali has sought post-arrest bail in crime number 684 of 2025 registered under section 395 P.P.C. and in Crime No. 687 of 2025 registered under section 23(i)(a) of the Sindh Arms Act, 2013 at Police Station Shah Latif Town, Karachi. His earlier bail pleas were dismissed by two separate orders dated 20.06.2025 by the learned 6th Additional Sessions Judge, Malir, Karachi.

2. Faizan, the complainant of Crime No. 684/2025, reported that on 19.05.2025, six unknown armed persons entered into his house situated in Sector-A, Shah Latif Town, Malir Karachi, and robbed his family of their valuables. H.C. Niaz Ali, the complainant in Crime No. 687/2025, reported that on 20.05.2025, upon receiving spy information, one of the culprits who had committed the dacoity in Faizan's house was present near the Graveyard of Zafar Town. The police party arrived at the designated location and arrested applicant Aizaz. On his personal search, one unlicensed 30-bore pistol and a loaded magazine with three live bullets were recovered. During interrogation, the accused confessed to having committed dacoity along with his companions in the house of Faizan. As such, he was arrested in Crime No. 684/2025.

3. I have heard the learned counsel for the applicant and the learned Additional Prosecutor General of Sindh. My observations and findings are as follows.

4. The applicant was identified by the complainant on 23.05.2025, in an identification parade in which Faizan recognized him as one of the armed people who had barged into his house and looted the home. No reason was given by the learned counsel when asked what malafide Faizan had to identify the accused wrongly. The incident was reported promptly to the police by Faizan, and he also recorded the description of the robbers in the F.I.R. Had there been malafide, he could have included the name of the applicant in the F.I.R.

5. The pistol recovered from the applicant had a number engraved on it, which is confirmed in the memo of recovery by the ballistic expert. It cannot be said conclusively that the weapon was the one used in the crime, as no shots were fired when the robbery took place. However, the applicant does not possess a license. The applicant loses the benefit of doubt at this preliminary stage of the case in view of the positive identification made by the victim of the robbery. The applicant will be given an opportunity when it is his turn to produce evidence at trial to show that the weapon was foisted upon him. In the meantime, though, there is little evidence that the firearm was foisted upon him, and there appears to be no reason for the police to do so.

6. Upon a tentative assessment, there is evidence to establish the applicant's nexus with the crime. The sentence for the crime falls within the prohibitory clause of Section 497 Cr.P.C. Considering the exponential rise in home break-ins and the consequent fear it has created in society at large in Karachi, the applicant has not made out a case for the grant of bail.

7. Given the above, both bail applications are dismissed.

JUDGE