

**IN THE HIGH COURT OF SINDH AT KARACHI**

Criminal Bail Application No. 96 of 2026

Applicant : Abdullah son of Zahid-ur-Rehman  
through Mr. Sajid Hussain Shar, Advocate

Respondent : The State through Mr. Muhammad Noonari,  
D.P.G. Sindh.

Date of hearing : 13-02-2026

Date of order : 13-02-2026

**ORDER**

**TASNEEM SULTANA, J.—** Through this Criminal Bail Application, the applicant Abdullah seeks post-arrest bail in Crime No. 439/2025 for offence punishable under Sections 392/397/34 PPC registered at Police Station Malir Cantt., Karachi. Earlier, post-arrest bail of the applicant was declined by the learned VIIIth Additional Sessions Judge, Malir, Karachi vide order dated 26.12.2025; hence, the instant application for same concession.

2. Brief facts of the prosecution case, are that the complainant Ikhlauque Ahmed runs a medical store namely Al-Madni Medical Store situated at Shop No.2, Street No.2, Dhani Bakhsh Goth, Gulistan-e-Johar, Karachi. On the intervening night of 16.10.2025 at about 12:00 midnight, the complainant along with his relative Abdullah son of Bin Yamin was present at the medical store when at about 00:40 a.m., four unknown persons, wearing shalwar kameez and riding on two motorcycles, arrived there; they entered the medical store at gunpoint, made the complainant sit down, conducted search of his person as well as the cash drawer and forcibly snatched cash amounting to Rs.70,000/-; they remained there for about 10-15 minutes and thereafter fled away; one accused was stated to be wearing pant and shirt while others were wearing white and other coloured shalwar kameez; the complainant claimed that he could identify the culprits if brought before him. Consequently, FIR was registered against unknown persons.

3. Learned counsel for the applicant contends that the applicant is innocent and has been falsely implicated; that he is not nominated in the FIR which was lodged against unknown persons; that no description or

distinguishing feature was assigned at the inception; that the applicant was first arrested in another case under the Sindh Arms Act and thereafter shown arrested in the present case; that the arrest memo dated 16.10.2025 prepared at Police Station Gulistan-e-Johar reflects presence of the complainant as mashir, thereby establishing prior showing before identification proceedings; that such prior exposure impairs the evidentiary sanctity of the identification exercise; and that the case, therefore, calls for further inquiry within the meaning of Section 497(2) Cr.P.C.

4. Learned Deputy Prosecutor General, while formally opposing the grant of bail, submits that the applicant has been identified by the complainant during identification parade conducted before the Magistrate; that the arrest memo dated 16.10.2025 reflects presence of the complainant as mashir/witness, which position is pointed out from the prosecution record; and that the evidentiary impact thereof is a matter to be determined at trial, therefore, the case calls for further inquiry at this stage.

5. Heard & record perused.

6. The allegation against the present applicant is that he, along with co-accused, committed robbery at the medical store of the complainant during the intervening night of 16.10.2025 at about 00:40 to 00:50 hours and decamped with cash amounting to Rs.70,000/-. The FIR, however, was lodged against unknown culprits without nomination or description, and the involvement of the applicant surfaced subsequently during investigation. The record reflects that the applicant was first apprehended in another case bearing Crime No. 895/2025 under Section 23(i)(a) of the Sindh Arms Act by Police Station Gulistan-e-Johar and, while already in custody, was thereafter shown arrested in the present case. Prima facie, the arrest memo dated 16.10.2025 at 2030 hours prepared at Police Station Gulistan-e-Johar shows that such arrest proceedings were conducted in the presence of the complainant as mashir, thereby establishing prior showing of the applicant before the identification exercise. Such prior exposure impairs the evidentiary sanctity of any subsequent identification parade, which is meant to test the memory of a witness regarding an unknown offender without intervening exposure; since identification constitutes the principal incriminating link connecting the applicant with the offence, its legal worth requires deeper appreciation of evidence at trial; thus, further inquiry is made out within the meaning of Section 497(2) Cr.P.C.

7. In view of above facts and circumstances, the applicant has been able to make out a case for grant of post-arrest bail within the meaning of Section 497(2) Cr.P.C. Accordingly, the instant Criminal Bail Application is

allowed and the applicant/accused Abdullah son of Zahid-ur-Rehman is admitted to post-arrest bail subject to furnishing solvent surety in the sum of Rs.200,000/- (Rupees Two Hundred Thousand only) and P.R. bond in the like amount to the satisfaction of the learned trial Court.

8. Needless to mention that the observations made herein are tentative in nature and shall not prejudice the case of either party at trial.

**JUDGE**

Nadeem