

**ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI**

Cr. Bail Appl.No.687 of 2026

Date	Order with signature of the Judge
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Present:

Mr. Justice Muhammad Iqbal Kalhoro.

Mr. Justice Khalid Hussain Shahani.

Syed ShahabVs. The State

08.04.2026.

M/s Shamshad Ali Qureshi & Imdad Ali Channa, Advocates for
applicant

Mr. Ali Haider Saleem, Addl. P.G.

ORDER

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MUHAMMAD IQBAL KALHORO J: Applicant seeks post arrest bail in FIR No.319/2025 U/s 324, 302, 34 PPC r/w section 7 ATA, 1997 of P.S. Saudabad, Karachi.

2. As per brief facts, complainant namely Riaz Ali in the FIR has alleged that on 21.09.2025 his two brothers namely Imtiaz Ali @ Mir and Muhammad Salah riding on a motorcycle were fired at by six unknown persons near Kala Board, near Lucky Broast, as a result of which, they were critically injured. They were admitted to hospital but later on Imtiaz Ali @ Mir succumbed to his injuries and died. Complainant in FIR has shown suspicion against co-accused namely Umar Daraz and his sons namely Ahmed Bux, Aftab and Hayat to be involved in the case. Police however, in investigation arrested the applicant as one of the accused, who was driving the motorcycle from which firing was made. When he was produced for remand purpose before Administrative Judge, ATC, complainant and eyewitnesses disowned his presence at the spot. Yet the applicant has been arrayed as one of the culprits in the final Challan.

3. Applicant filed bail application before the trial court which has been dismissed on the ground that two empties recovered from the spot have matched with the pistol recovered from him, although the role attributed to him by the i.O. is of driving the motorcycle and not of firing at the victim.

4. We have heard learned counsel for applicant who has pleaded for bail on the ground that case of the applicant requires further inquiry as no one has implicated him and he has been made accused on the basis of his own admission before police which is inadmissible in terms of Article 38

and 39 of Qanoon-e-Shahadat Order, 1984. His bail plead has however been opposed by learned Addl. P.G.

5. Be that as it may, we are of the view that the case against the applicant requires further inquiry for the reasons that he has not been assigned role of firing even in the Challan by the I.O. In addition, complainant and eyewitnesses have *prima facie* disowned his presence at the spot before learned Administrative Judge, ATC at the time of his remand, hence this application is allowed and the applicant is granted bail subject to furnishing a solvent surety in the sum of Rs.200,000/- and P.R bond in the like amount to the satisfaction of the trial court.

The observations made hereinabove are tentative in nature and would not prejudice case of either party at trial.

The Cr. Bail Application is disposed of.

JUDGE

JUDGE

A.K