

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.

Present:
Mr. Justice Muhammad Iqbal Kalhoro

Cr. Bail Appl No.1826 of 2026
(Muhammad Faraz vs. The State)

Cr. Bail Appl No.2471 of 2026
(Uzair Ali vs. The State)

Date of hearing
& order **30.10.2026**

Mr. Babar Ahmed, advocate for applicant in Cr. B.A. No.1826/2026
Applicant, Uzair Ali present in person
M/s. Saring Waswani and Hitesh Kumar, advocate for complainant
Mr. Ali Haider Salim, Add: PG Sindh

ORDER

MUHAMMAD IQBAL KALHORO J: Applicants Muhammad Faraz and Uzair Ali are seeking pre arrest bail in Crime No.130/2026, u/s 380, 457, 454, 34 PPC of Police Station Aram Bagh, Karachi. They are present on ad-interim pre arrest bails granted to them vide orders dated 15.06.2026 and 11.08.2026 and today the matters are fixed for confirmation or otherwise.

2. Complainant is a cloth-businessman. He has a godown situated at Lucknow Market, Al-Jadeed Building, Aram Bagh, Karachi. As per his version in FIR, on 15.02.2026, he went to his native town in Baluchistan after locking his said godown. When, he returned on 21.04.2026, he inspected the godown and found 104 bundles of ladies' cloth, worth Rs.1,60,00,000/- missing. He initially made local inquiries and came to know that applicant, Faraz along with another accused and their accomplices on different dates, had unlocked his godown and took away bundles of cloth. Hence, he registered the FIR.

3. In the investigation, the IO succeeded in examining three persons, PW-Sajjad, the Driver hired for shifting the bundles in his Suzuki; PW-Raham a Watchman, who saw the applicants doing so; and Javed Ahmed, a Labourer, used for shifting bundles. They all have implicated the applicants by stating that on different dates, these accused would come and since they were known in the market, hence without any alarm, they took away bundles on the excuse that they had purchased these bundles from the complainant and were simply shifting away for delivery. Hence, they are booked in the present case. Applicants applied for bail before the relevant Sessions Judge but did not succeed. Hence, these pre-arrest bail applications.

4. Learned counsel for the applicant Muhammad Faraz in Cr. B.A. No.1826/2026 has argued that applicants are innocent and have been falsely implicated in the case; there is no eye witness of the alleged occurrence; there is delay of about two months in registration of FIR; there is no evidence to show that lock of the godown was broken to raise suspicion of theft; the complainant has not mentioned the names of his servants in the FIR.

5. Applicant Uziar Ali, present in person, in Cr. B.A. No.2471/2026 has argued that since his father was employee of the complainant, hence, he has been implicated falsely in the case.

6. On the other hand, learned Addl: PG Sindh has opposed the bail applications citing 161 Cr.PC statements of above three PWs.

7. I have considered submissions and am of the view that there is *prima facie* sufficient evidence against the applicants. Three PWs, who are relevant people and work in the said market, have identified the applicants in their statements to be the culprits taking away the bundles of cloth on different dates under the excuse of purchasing the same. There is no evidence of any ill-will or enmity of the applicants' with the complainant to falsely implicate them in a serious case in which his cloth worth Rs.1,60,00,000/- has been stolen. IO in the investigation has found *prima facie* evidence against the applicants such as above and CCTV footage of the incident.

8. The concession of pre-arrest bail is an extra-ordinary relief, which cannot be granted unless it is shown that FIR is a result of some enmity or malafide on the part of the complainant or police, which is lacking in this case. Hence I do not find the applicants entitled to the concession of pre-arrest bail. Accordingly, these applications are dismissed. The ad-interim pre-arrest bails granted to the applicants on dated 15.06.2026 and 11.08.2026 are hereby recalled.

9. Needless to mention that the observations made herein above are tentative in nature and would not prejudice case of either party at trial. The bail application is disposed of in the above terms.

Office to place a copy of this order in connected bail application

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