

CR. BAIL APPLICATION NO.727/2012

Date

Order with signature of Judge

For hearing.

10.08.2012

Mr. Abdul Waheed advocate for applicant.

Mr. Muntazir Mehdi, APG.

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Though the learned APG has vehemently opposed this bail application on the ground that the applicant was apprehended by the police at the spot after encounter and pistol used by him during such encounter was also recovered from him and so also stolen property i.e. Toyota Hilux was also recovered from the applicant and co-accused. But it is admitted fact that such incident of encounter and recovery was relating to another crime No.23/2012 registered at PS Keenjhar Lake Thatta, under section 324, 353 411/34 PPC while in the present case registered under section 381-A PPC at PS ACLC, East, Karachi, some unknown person as per the present FIR No.58/2012 had stolen away Toyota Hilux of the complainant Arif Nawaz at midnight time when the same was parked outside his house. Since no material seems to be available on record to connect the present applicant with crime of such theft, therefore the alleged recovery effected after about 9 days of the incident of theft, needs further enquiry as the story setup by the applicant in his defence is such that the same requires consideration after due trial of the accused.

In the circumstances, the applicant is granted bail on furnishing a solvent surety in the sum of Rs.100,000/- and PR bond in the like amount to the satisfaction of the learned trial Court.

J U D G E

Imran/PA