

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.

Cr. Bail Appl No.865 of 2024

05.06.2024

Mr. Nadeem Ali Channa, Advocate for applicant.
Ms. Rahat Ahsan, Addl. P.G.

ORDER

MUHAMMAD IQBAL KALHORO J: Applicant Shan Ali is seeking post arrest bail in Crime No.43/2024 U/s 392,397,34 PPC of P.S. Saeedabad.

2. As per FIR, complainant riding on a motorcycle was robbed on 23.01.2024 by three unknown accused of his motorcycle, two mobile phones, one cheque of HBL and cash Rs.70,000/-, FIR of which he registered on 24.01.2024. Subsequently applicant and two co-accused were arrested in some other crime and were booked in the present crime on admission before police and recovery of robbed motorcycle and a mobile phone. Co-accused Riaz Ali and Shoib Ali having similar role have been granted bail by the trial court and bail of the applicant has been declined on the sole ground that robbed motorcycle was recovered from him. However, record shows that recovery of robbed motorcycle was effected jointly from all accused, two of whom, as above, have already been granted bail. In these circumstances, rule of consistency would be applicable. Learned APG has opposed the bail but has not denied the fact that recovery was effected from all the accused jointly and that co-accused have been granted bail.

3. In the above circumstances, this application is allowed and the applicant is granted bail subject to furnishing two solvent sureties in the sum of Rs.250,000/- each and P.R bond in the like amount to the satisfaction of the trial court.

The bail applications are disposed of in the above terms.

JUDGE

A.K

