

ORDER SHEET  
IN THE HIGH COURT OF SINDH, AT KARACHI.

**Criminal Bail Application No.2740 of 2023**

Date	Order with signature of Judge
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1. For orders on office objection at 'A'.
2. For hearing of bail application.

**22.01.2024.**

Mr. Naveed Ahmed, Advocate for the applicant.  
Mr. Abrar Ali Khichi, Additional Prosecutor General.

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**MOHAMMAD KARIM KHAN AGHA, J:-** The Applicant Muhammad Tahir S/o. Muhammad Yousuf is facing trial before the IVth Additional Sessions Judge Karachi East in respect of FIR No.46/2022 U/s, 147, 148, 149, 353, 324, 427, 186, 447, 34 PPC registered at P.S. Landhi. The applicant was initially granted the pre-arrest bail and confirmed by the Sessions Judge Karachi East, however, it was recalled by the IVth Additional Sessions Judge Karachi East due to his failure to attend the court proceedings vide order dated 30.11.2023. He has now approached this Court for pre-arrest bail.

2. The brief facts of the case are that the complainant went along with a police party to remove some land grabbers whereupon the land grabbers attacked to them which led to two persons being injured, hence the FIR was lodged against some nominated accused and some unknown persons.

3. I have heard learned counsel for the applicant and learned Additional Prosecutor General Sindh and perused the record.

4. The applicant was not named in the FIR, however, at least two of the persons named in the FIR namely Faisal Iqbal and Shakeel who played more prominent role than the applicant and even their pre-arrest bails have been confirmed. Since the case of the applicant is on a better footings than the co-accused Faisal Iqbal and Shakeel who have been granted bail by the Court of Sessions Judge Karachi East on 18.04.2023, based on the

rule of consistency the pre-arrest bail granted earlier to the applicant Muhammad Tahir S/o. Muhammad Yousuf by this Court is confirmed on the same terms and conditions. It is made clear that this order is only after a tentative assessment of the evidence available on record and would have no bearing of the outcome of the trial of the applicant which shall be decided by the concerned trial Court based on the evidence placed before it. The trial court is directed to complete the trial within 03 months of the date of this order. A copy of this order shall be sent to IVth Additional Sessions Judge Karachi East for compliance.

5. This pre-arrest bail application is disposed of in the above terms.

JUDGE

*M. Arif*