

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA

Criminal Bail Appln. No. S-89 of 2025

Applicant	:	Kazim @ Rehmatullah s/o Usman Unar, Through Syed Muhammad Mehdi Shah, advocate
Complainant	:	Ali Bakhsh @ Bashir Gadehi
The State	:	Through Mr. Aitbar Ali Bullo, D.P.G for the State
Date of hearing	:	21-05-2025
Date of order	:	21-05-2025

ORDER

AMJAD ALI SAHITO, J.- Through this order, I dispose of bail application [filed](#) by applicant Kazim @ Rehmatullah Unar, arising out of Crime 152/2024, offence U/s 342, 395, 394, 397, 148, 149 P.P.C registered at Police Station Nasirabad, whereby his plea was declined by the trial court vide order dated 17.12.2024.

2. The details and particulars of the FIR are already available in the bail application and FIR, same could be gathered from the copy of FIR attached with such application, hence, needs not to reproduce the same hereunder.

3. Learned counsel for the applicant/accused submits that infact main accused Mst. Mehnaz @ Meena has been granted bail by this Court vide order dated 15.01.2025. He further submits that her name is appeared in the F.I.R with specific role that she has committed fraud with the complainant party and then robbed mobile, cash amount. He further submits that he has snatched only a key from the complainant party, otherwise there is no role of robbing amount from the complainant party. He submits that name of applicant/accused appeared in the F.I.R in robbery case, how it is impossible that they will commit the offence and disclose such roles. He submits that accused persons are residing in the hotel at Jacobabad and the complainant is manager at Al-Harmain hotel Jacobabad. The applicant/accused is in jail and no more required for investigation. He has lastly prayed for grant of post-arrest bail to the applicant/accused.

4. On the other hand, learned D.P.G. has vehemently opposed for grant of bail, however, he admits that Mst. Mehnaz @ Meena has been granted bail by this Court vide order dated 15.01.2025.

5. Heard, perused.

6. Admittedly the co-accused Mst. Mehnaz @ Mena against whom a specific role has been assigned that she has robbed cash amount, mobile from the complainant party and she has been granted bail by this Court, as such applicant is also entitled for concession of bail on rule of consistency. Further the accused is in jail and he is no more required for further investigation. His further detention will not improve the case of prosecution. The role against the applicant/accused is that he has only snatched the key from the complainant party. All these aspects will be seen when the evidence will be recorded whether applicant/accused shared his common intention or not. Learned counsel for the applicant further submits that due to previous enmity he has been implicated in this case.

7. At bail stage, only tentative assessment is to be made. Learned counsel for the applicant/accused has made out a case for grant of post-arrest bail in view of sub-section (2) of section 497 Cr.P.C, resultantly both the bail applications are allowed. The applicant/accused is admitted to post-arrest bail subject to his furnishing solvent surety in the sum of Rs.50,000/- and P.R bond in the like amount to the satisfaction of learned Trial Court.

8. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the learned trial court while deciding the case of either party at trial.

J U D G E

Abdul Salam/P.A