

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Cr. Bail Appl. No.400 of 2024

Date	Order with signature of Judges
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For hearing of bail application.

08.04.2024.
Mr. Syed Bashir Hussain Shah, advocate for the applicant.
Mr. Abrar Ali Khichi, Addl. Prosecutor General Sindh.
Mr. Allah Ditta, Advocate for the complainant.

Muhammad Karim Khan Agha, J. Applicant has been booked in FIR No.1516/2023 u/s. 302/109/34 r/w 512 PS SITE Super Highway. He applied for post arrest bail before the 1st Additional Sessions Judge/MCTC Malir Karachi which was declined vide order dated 02.02.2024. Hence the applicant has approached this Court for post arrest bail.

2. Brief facts of the case are that on 14.12.2023 at about 2030 hours the complainant was invited to his brother's house Rehman Ali for dinner. When complainant reached there he saw that some persons had caught hold of his brother including the applicant and Ibrahim with another person were hitting him with a knife which led to the death of his brother. Hence the aforesaid FIR was lodged against the applicant and his co-accused.

3. I have heard learned counsel for the applicant, learned Additional Prosecutor General Sindh and learned counsel for the complainant.

4. No doubt this is a murder case and the role of the applicant seems to be that of facilitator/abettor in the murder. Be that as it may, both of them would be under the same liability as per law. However, learned counsel for the applicant and learned counsel for the complainant state that the parties have agreed to enter into a compromise agreement and as such the learned counsel for the complainant has no objection to the grant of bail in order to facilitate the compromise agreement. Learned Addl. Prosecutor General Sindh has no objection to this proposition.

5. Under these circumstances, the applicant **Haji Shah Rawan s/o Mujat Khan** is granted post arrest bail subject to furnishing his solvent surety in the sum of Rs.5,00,000/- (Rupees Five Lacs Only) and P.R. Bond in the like amount to the satisfaction of the Nazir of this Court.

6. This order is based only on a tentative assessment of the evidence and the learned trial Court shall proceed to decide this case on merits expeditiously. Copy of this order shall be sent to 1st Additional Sessions Judge/MCTC Malir Karachi Court for compliance.

7. The instant criminal bail application stands disposed of in the above terms.

JUDGE