

For hearing of Bail Application.

Mr. Shahbaz Ali M. Brohi, advocate for the applicant.
Mr. Mohammad Noonari, Deputy Prosecutor General.

Date of Hearing : 27.08.2021.
Date of decision : 27.08.2021.

ORDER

Omar Sial, J.: Mohram Gorshani the applicant has sought post arrest bail in crime number 25 of 2021 registered under sections 302, 114, 148, 149 and 506/2, P.P.C. at the Jaggan police station. Earlier, his application seeking bail was dismissed on 6-7-2021 by the learned Sessions Judge, Shikarpur.

2. Liaqat Ali Gorshani lodged the aforementioned F.I.R. on 3-6-2021 reporting an incident that had occurred on 2-6-2021. He recorded that due to a matrimonial dispute he was not on good terms with one Rasool Bux Gorshani. At midnight on 1-6-2021, while he was sleeping at home with his brother Amanullah and nephew Irshad, 6 persons entered the house. These 6 persons were all identified and included the applicant, who allegedly was holding a *lathi*. Upon the instigation of the applicant, accused Rasool Bux and accused Umed Ali @ Maloo, fired upon Amanullah which subsequently led to his death.

3. I have heard the learned counsel for the applicant as well as the learned DPG and have perused the record with their able assistance.

4. It has not been denied that the applicant is an old, infirm man and that the only role assigned to him is that of instigation. This fact coupled with the admitted friction in relationship between the parties and the delay in the lodging of the F.I.R. requires the presence of the applicant as well as whether he shared a common intention with the 2 accused who shot at Amanullah to be established at trial when evidence is led. At the moment

and upon a tentative assessment the case of the applicant appears to be one of further inquiry.

5. Above are the reasons for my short order dated 27.08.2021.


JUDGE