

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA  
Crl. Jail Appeal No.S-313 of 2019

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For hearing of MA-4092 of 2020
2. For hearing of MA-4093 of 2020
3. For hearing of MA-2488 of 2020
4. For hearing of main case.

**02.11.2020.**

Mr. Muhammad Sachal R. Awan, Advocate for appellants.  
Mr. Shahid Hussain Bhurgari, advocate for complainant.  
Mr. Shahzado Saleem Nahiyoon, DPG for the State.

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1. Dismissed as not pressed.
2. Dismissed as not pressed.
3. It is contended by learned counsel for appellant Wazir Ali alias Rizwan that aggregate sentence awarded to him is five years and he has been in custody for more than one year and hearing of his appeal is likely to take time. By contending so, he sought for his release on bail by suspending the operation of conviction and sentence awarded to him. In support of his contention he has relied upon cases of *Abdul Hameed vs Muhammad Abdullah and others (1999 SCMR 2589)*, *Muhammad Ibrahim vs The State (2017 YLR Note 241)* and *Nazeer Ahmed and 2 others vs The State (2005 P.Cr.L.J 657)*.

Learned D.P.G for the State has recorded no objection to release of appellant Wazir Ali alias Rizwan on bail by suspending the operation of conviction and sentence awarded to him. However, learned counsel for the complainant has opposed to release of appellant Wazir Ali alias Rizwan on bail by contending that he has actively participated in commission of incident.

I have considered the above arguments and perused the record.

The aggregate sentence awarded to appellant Wazir Ali alias Rizwan is five years with fine and he has been in custody for more than one year; it obviously is short one and hearing of his appeal is likely to take time therefore, the operation of conviction and sentence awarded to him is suspended and he is ordered to be released on bail subject to his furnishing surety in sum of Rs.100,000/=and PR bond in the like amount to the satisfaction of Additional Registrar of this Court.

4. Adjourned to a date in office.

**J U D G E**

Ahmed/Pa,

