

**ORDER SHEET**  
IN THE HIGH COURT OF SINDH, KARACHI

**Criminal Bail Application No.1540 of 2021**

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<i>Date</i>	<i>Order with signature of Judge</i>
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*For hearing of Bail Application.*

**20.09.2021**

Mr. Kher Muhammad, Advocate for the Applicant.  
Ms. Rahat Ehsan, Addl. Prosecutor General, Sindh.

**ORDER**

**Muhammad Saleem Jessar, J:-** Through this bail application, applicant Ubaid seeks his release on bail in Crime No.1192 of 2021 of P.S Shah Latif Town, Karachi, under Section 23(i)A of Sindh Arms Act, 2013. The bail plea preferred by accused before trial Court was declined by means of order dated 19.07.2021, hence this application has been maintained.

Since the facts of the prosecution case already mentioned in the impugned order as well as FIR, which are annexed with Court file, therefore, there is no need to reproduce the same.

At the very outset, learned counsel for applicant submits that instant case is off-shoot of main case being Crime No.1191 of 2021 of P.S Shah Latif Town, Karachi, under Section 395/397/34 PPC, in which applicant has been granted post-arrest bail by this Court vide order dated 20.09.2021. He, therefore, submits that applicant may be granted bail in this case also.

Learned Deputy P.G, Sindh opposes bail application on the ground that prosecution has to verify the weapon allegedly used by applicant in the commission of main offence, therefore, mere grant of bail in main case is no ground for grant of bail in this case.

**Heard arguments, record perused.** Admittedly, instant crime is off-shoot of the aforesaid main crime and both cases are pending for trial before same trial Court. Record reflects that applicant has already been granted

post arrest bail in main case by this Court vide order dated 20.09.2021; therefore, the propriety of law demands that applicant may also be extended concession of bail in the present case. Reliance can also be had from the case of *MANJHI Vs. The STATE (PLD 1996 Karachi 345)*. Accordingly, instant bail application is hereby allowed. Applicant Ubaid son of Hussain, shall be released on bail subject to furnishing his solvent surety in the sum of Rs.30,000/- (Rupees Thirty Thousands Only) and PR Bond in the like amount to the satisfaction of learned trial Court.

It may be pertinent to mention here that the observation(s) made hereinabove is/are tentative in nature and shall not prejudice the case of either party during trial. However, the learned trial Court may proceed against the applicant, if he is found misusing the concession of bail.

This Criminal Bail Application is disposed of in the terms indicated above.

**JUDGE**

Zulfiqar/P.A