

ORDER SHEET
IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR
Crl. Bail Application No. S- 786 of 2016

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE.
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For Hearing.

28-08-2017

Mr. Irshad Hussain Dharejo Advocate alongwith applicant Sajjad Ali.
Mr. Syed Murad Ali Shah Advocate alongwith complainant.
Mr. Zulfiqar Ali Jatoi, Additional P.G.

ORDER

Learned counsel for applicant Sajjad Ali submits that co-accused Dad Muhammad alias Dadan and Sono have been admitted to post arrest bail by this court vide order dated 14.10.2016, passed in Crl.B.A.No.S-533 of 2016, while co-accused Piyaro has also been enlarged on post arrest bail by the trial court vide order dated 8.12.2016 and the case of the present applicant is similar and identical to that of co-accused Sono and Piyaro, as such applicant is also entitled for grant of pre-arrest bail under the rule of consistency.

Learned Additional P.G recorded no objection if the interim pre-arrest bail of applicant is confirmed on the ground of rule of consistency.

Learned counsel for complainant opposed the bail application on the ground that ingredients of post arrest and pre-arrest bail are altogether different, as such rule of consistency will not be applicable in the present case.

Heard learned counsel for applicant, learned counsel for complainant

as well as learned Additional P.G.

Perusal of FIR reflects that fatal injury to injured Ghulam Hussain is attributed to co-accused Muhammad Shareef, whereas, applicant being armed with gun allegedly caused butt blows to the Ghulam Hussain, brother of complainant, however, learned counsel for applicant has placed on record certified copy of order dated 14.10.2016 passed by this court in Crl.B.A.No.533 of 2016, whereby co-accused Dad Muhammad alias Dadan and Sono have been enlarged on post arrest bail. He has also filed certified copy of order dated 8.12.2016, passed by trial court whereby co-accused Piyaro has also been admitted to post arrest bail and the role of applicant is almost similar and identical to that of co-accused Sono and Piyaro, therefore, following the rule of consistency, interim pre-arrest bail already granted to the applicant by this court vide order dated 13.12.2016 is hereby confirmed on same terms and conditions.

Bail application stands allowed accordingly.

JUDGE

Ahmed