

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

Cr. Bail Application No. 791 of 2022

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<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGES</b>
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For hearing of bail application.

**24-05-2022**

Mr. Altaf Ahmed Sehar, Advocate for applicant.  
Mr. Talib Ali Memon, APG.

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**Omar Sial, J.**: Shahid has sought post arrest bail in crime number 107 of 2022 registered under sections 14-A(1) KW&SB (Amendment) Act 2015 read with sections 430,186,225 and 34 P.P.C. at the Gadap city police station in Karachi. Earlier, his application seeking bail was dismissed by the learned Sessions Judge, Malir on 10-03-2022.

2. A background to the case is that the aforementioned F.I.R. was registered on the complaint of Muhammad Irshad Ali, Sub-Engineer KW&SB on 5-3-2022. Complainant recorded that he received spy information that Javed Shahnawaz is running an illegal water hydrant behind Colonel Farm House and selling water to the tankers. Complainant alongwith his staff reached the identified place and apprehended one person who disclosed his name to be Shahid (present applicant).

3. I have heard the learned counsel for the applicant as well as Assistant Prosecutor General. My observations and findings are as follows.

4. Learned counsel for the applicant submits that Javed Shahnawaz who is the main accused in this case has been granted bail by the learned 4<sup>th</sup> Additional Sessions Judge, Malir on 16-3-2022. The role of the present applicant is confined to be present on the spot as driver of the water tanker however illegal hydrant is owned and operated by Javed Shahnawaz. Learned counsel further submits that the case of the present applicant is on better footing to the case of Javed Shahnawaz therefore, he is entitled for grant of bail solely on the ground of rule of consistency. The arguments of the learned counsel have not been rebutted by the learned APG.

5. In view of the above, on ground of consistency, the applicant is admitted to bail subject to his furnishing a solvent surety in the sum of Rs. 50,000 and a P.R. bond in the like amount to the satisfaction of learned trial court.

JUDGE