

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Crl.B.A.No. S – 13 of 2024

Date

Order with signature of Judge

For Hearing of Bail Application.

04-03-2024.

Mr.Saeed Jamal Lund Advocate for applicant.
Mr.Sardar Ali Shah Addl.P.G.

ORDER.

ZULIFQUAR ALI SANGI, J- Applicant Ghulam Akbar Jhangli Bhatti has sought post-arrest bail in Crime No. 110/2023 of Police Station, Sorah, District Khairpur, registered under sections 302, 114, 337-A(i), 337-H(2), 147, 148, 149, PPC.

2. Earlier the bail application of the applicant was dismissed by the learned Additional Sessions Judge-I/(MCTC), Khairpur vide order dated 22.12.2023. The applicant has therefore approached this Court with the same prayer.

3. Since the facts of the prosecution case have already been mentioned in the bail order as well as in the memo of bail application, therefore there is no need to repeat the same.

4. Learned counsel for the applicant has contended that the applicant has been falsely implicated in the case with malafide intention and ulterior motive on account of the dispute over the landed property. Besides this, there is general allegation against the applicant of making aerial firing and no specific role has been assigned to him.

5. Learned Addl.P.G has conceded for grant of bail by stating that there are only general allegations of aerial firing against the applicant.

6. I have heard the learned counsel for the applicant, learned Addl.P.G appearing on behalf of the State and the complainant Ghulam Rasool and I have also gone through the material available on record with their able assistance.

7. As per contents of FIR, except general allegations of making aerial firing no role has been assigned to the present applicant and the specific role of committing murder of deceased by means of firing has been attributed to other co-accused, who are not before this Court. Besides this, during investigation the applicant was found innocent but the learned Magistrate took the cognizance in the case. Though the opinion of police is not binding on the Courts; however the same can be taken into consideration along with other factors while deciding the bail plea. The Addl.P.G has also extended no objection for grant of bail. Consequently, this bail application is allowed and the applicant Ghulam Akbar Jhangli Bhatti is released on bail subject to his furnishing solvent surety in the sum of Rs.200,000/- (Rs.Two Lac) and P.R Bond in the like amount to the satisfaction of the learned trial Court.

Cr.B.A.No. S – 13 of 2024 stands disposed of in above terms.

JUDGE

Akber.

