

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA
Ist. CrI. Bail Appln. No.S-390 of 2015

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| DATE OF HEARING | ORDER WITH SIGNATURE OF HON'BLE JUDGE |
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For Hearing.

06.10.2015.

Mr. Ghulam Asghar M. Khichi, advocate for the applicant.

Complainant is present in person.

Mr. Shahzad Saleem, A.P.G.

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Through instant application, applicant Abdul Karim alias Karoo seeks post arrest bail in Crime No.13 of 2015 registered at Police Station Abdullah Sarki @ RD-52, District Jacobabad for offence punishable under section 459, PPC.

2. It is alleged that applicant along with co-accused persons trespassed in the house of the complainant with intention to commit theft and complainant party resisted, therefore, Mir Muhammad Jafferi caused injury of "Kaat" sharp-edged weapon to P.W Waqar; he was apprehended by the complainant party and present applicant has made his escape good.

3. Learned counsel for the applicant contended that the applicant has been implicated due to political rivalry and he was not available at the scene of offence; no specific role is alleged against him.

4. Learned A.P.G has opposed the bail plea on the ground that this is case of criminal trespass.

5. It is alleged that the applicant along with co-accused trespassed in the house of complainant with intention to commit theft and co-accused caused "Kaat" blow to P.W Waqar and that accused was apprehended by the complainant party. It is worth to add here that the applicant is residing at 15



kilometers away from the house of the complainant, hence per prosecution case, he has traveled from his house and trespassed in the house of complainant. Albeit participation regarding causing injuries is not against the present applicant but with regard to issue of trespass, same is punishable up to ten years which comes within the prohibitory clause of section 497, (1), Cr.P.C. Accordingly, instant bail application is dismissed.


Judge

M.Y.Panhwar/**