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ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA.

1<sup>st</sup>. Cr. Bail Appln. No. S- 386 of 2016.

Date Order with signature of Judge.

1. For orders on office objection as flag A.
2. For hearing.

31.10.2016.

Mr. Faiz Mohammad Larik, advocate for the applicant.

Mr. Sardar Ali Shah, A.P.G.

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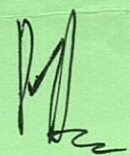
**Mohammad Iqbal Kalhoro-J.:-** By means of this application, applicant Raja is seeking pre arrest bail in Crime No.16 of 2016 U/S 382, 457 PPC registered at Police Station Mubarakpur.

The allegation against the applicant is that he along with co-accused, on the day of incident viz.28.5.2016 at about 2.00 a.m, committed house trespass in the house of complainant and at the point of weapons, committed theft of a mobile phone, memory card and cash Rs.10,000/=.

Learned counsel for the applicant states that there is delay of about 7 days in registration of F.I.R which has not been explained; that the applicant and complainant are residents of same village and out of enmity the applicant has been implicated in this false case; that the offence does not fall within prohibitory clause of section 497 Cr.P.C and in such case bail is rule and its refusal <sup>an</sup> exception and the applicant is continuously attending the trial.

Although learned A.P.G has opposed grant of bail to the applicant but he is unable to controvert the above grounds.

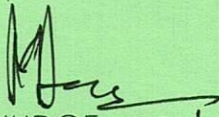
It appears that the F.I.R is delayed for about 7 days for which no plausible explanation has been furnished by the complainant. The case has been challaned and the applicant is no more required for further investigation. In the circumstances, bail of the applicant is confirmed on the same terms and conditions, whereby he was





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granted ad interim bail vide order dated 18.8.2016. Applicant is directed to regularly attend the trial and in case of his absence the trial Court would be competent to take action against him in accordance with law.

  
JUDGE 31-10-2016