

40

ORDER SHEET

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

1ST Cr. Bail Appln. No. D- 60 of 2016.

Date

Order with signature of Judge.

01.11.2016.

For hearing.

Mr. Nazeer Ahmed A. Bangwar, advocate for the applicant.

Mr. Sardar Ali Shah, A.P.G

Complainant Mohammad Akber is present.

=====

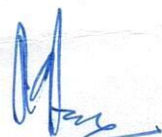
Mohammad Iqbal Kalhoro. By means of this application, applicant namely Abdul Qadir Bangwar is seeking post arrest bail in Crime No.38 of 2016 U/S 365-A, 148, 149 PPC registered at Police Station Gublo Katcho.

Allegations against the applicant are that during the captivity of the complainant/abductee by the dacoits, he used to call the dacoits on phone. Except the above allegation, nothing against the applicant is mentioned in the F.I.R which was registered on 08.08.2016 of the incident of abduction of the complainant that allegedly took place on 27.6.2016.

Learned counsel for the applicant has argued that the applicant is innocent and has been falsely implicated; that except role of talking to the dacoits attributed to the applicant, no evidence has been found against him.

Learned A.P.G, on the basis of the ground that the applicant's name is mentioned in the F.I.R, has opposed grant of bail to him.

Complainant present in the Court has no objection to bail of applicant.



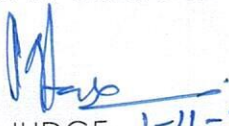
47

We have considered the submissions of the parties and perused the material available on record. It appears that merely name of the applicant is mentioned in the F.I.R with the only connotation that he used to call the dacoits on phone and communicate with them. However, prima facie, no evidence has been collected by the Investigating Officer during the investigation in support of such allegation and even no record of phone calls allegedly made by the applicant to the dacoits has been obtained.

In these circumstances, we are of the view that case of the applicant requires further enquiry into his guilt. Consequently, we grant him bail subject to furnishing a solvent surety in the sum of Rs.200,000/= and P.R bond in the like amount to the satisfaction of the trial Court.

The findings recorded above are tentative in nature and would not prejudice either party in the trial.


JUDGE


JUDGE 1-11-2016.