

75

ORDER-SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA
Crl. Bail Appln. No. S- 545 of 2013.

Date of hearing	Order with signature of Judge
31.03.2014.	

1. For orders on office objection.
2. For hearing.

Mrs. Najaf Shah, Advocate for applicants.
Mrs. Seema Imtiaz, A.P.G.

~~~~~

Through instant application, applicants seek post arrest bail in Crime No.38/2013, of P.S Keti Mumtaz, under Sections 395, 148, 149, 506/2, 504, 337-H (2), and 427 P.P.C.

2. Precisely, allegations against applicants are that they alongwith five other accused persons caused straight firing upon complainant party and also robbed one mobile phone and one Beeco machine. Such F.I.R was lodged; applicants were arrested; thereafter they were sent up for trial before trial Court.

3. Learned counsel for applicant inter-alia, contends that in similar circumstances, co-accused have been granted pre arrest bail, therefore, applicants are entitled for post arrest bail on the rule of consistency; applicants are behind the bar since six months; case is pending for adjudication, thus they are not required for further investigation.

4. Conversely, learned A.P.G. argued that sufficient evidence is available against the applicants, therefore, they are not entitled for bail.

5. It is revealed that co-accused Bashir Ahmed, Abdul Rasheed, Muhammad Azeem, Nisar Ahmed, Gulzar alias Kouro and Tasleem have been granted pre arrest bail by learned Sessions Judge, Larkana, by Order dated 02.10.2013. It further appears that co-accused persons were granted pre arrest bail on the ground that civil litigation is pending between the parties, thus except recovery, the case of present applicants is identical to case of co-accused who were granted pre arrest bail. The applicants are in custody since 19.09.2013, case is pending for adjudication; thus their custody is not required for further investigation.



In view of above judicial propriety demands that same treatment shall be extended to the applicants. Consequently, the applicants are admitted to bail in the sum of Rs.50,000/- (Fifty thousands) each and P.R bonds in the like amount to the satisfaction of trial Court.

  
Judge