

ORDER-SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA  
Crl. Bail Appln. No. S- 257 of 2015.

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| Date of hearing<br>15.9.2015. | Order with signature of Judge |
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FOR HEARING.

Mr. Nisar Ahmed G. Abro, Advocate for applicant.  
Mr. Ali Nawaz Ghanghro, Advocate for complainant.  
Shahzado Saleem, A.P.G.

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Through instant bail application, applicant Ameer Ali Wahocho seeks post arrest bail in Crime No.29/2015, registered with P.S Warah, under Sections 337-A (ii), 337-F (i), 114 P.P.C.

Precisely it is alleged that applicant alongwith co-accused persons committed murderous assault upon complainant party thereby complainant received injuries and such F.I.R was lodged.

It is contended that applicant has been dragged falsely in this case due to matrimonial dispute; applicant is behind bar; case is pending for adjudication; offence does not fall within prohibitory clause of Section 497 Cr.P.C, hence applicant is entitled for concession of bail as a rule in view of PLD 1995 S.C 34.

On the other hand learned A.P.G. and learned counsel for complainant extended their no objection on the plea that offence is not falling within the prohibitory clause of Section 497 Cr.P.C.

In view of peculiar circumstances when it is surfaced that medical version is not in conformity with ocular account; offence does not fall within prohibitory clause of Section 497 Cr.P.C; case is pending for trial before the competent Court and it is settled principle of law that bail cannot be withheld as punishment, the applicant has been able to make out a case for grant of bail in his favour. Accordingly, bail application is allowed, the applicant is





directed to be released on bail on his furnishing solvent surety in the sum of Rs.50,000/- (Fifty thousand rupees) and P.R bond in the like amount to the satisfaction of the trial Court.

  
Judge