ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARK ANA

1st Crl. Bail Appln. No.S-347 of 2015.

DATE OF HEARING	ORDER WITH SIGNATURE OF HON'BLE JUDGE.

12.10.2015.

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

Mr. Muhammad Murad Chachar, advocate for applicants.

Mr. Khadim Hussain Khooharo, D.P.G.

Through instant application, applicants Birjoo and Muhammad Ashraf, both by caste Sawand, seek post arrest bail in crime No.142/2015 registered at P.S C/Section, Kandhkot, under Sections 302, 337-H(2), 148, 149, PPC.

2. it is alleged that accused Birjoo (applicant), Jehangir, Sukhwan, Qabil, Napoo alias Naboo, Haji Khan, armed with pistols, Izat armed with K.K, Gul, armed with gun, Inayat, Siddique, Ghulam Ali, armed with guns, and Gulzar armed with pistol, and three unidentified persons, challenged the husband of complainant Mst. Jathi Khatoon Lashari alias Muhammad; caused direct fire shot injuries to him, who subsequently expired, whereas name of applicant Muhammad Ashraf is not mentioned in F.I.R, however, he was implicated through statements under Section 161, Cr.P.C showing therein that he was present at the scene of occurrence being armed with gun.

3. Learned Counsel for the applicants at the outset does not press the bail application for accused Birjoo (applicant No.1), which is dismissed as not pressed.

4. So far case of applicant Muhammad Ashraf is concerned, admittedly no iota of evidence is available against him; no overt act is attributed to him; question of sharing common intention with co-accused would be determined at the time of trial, hence the case against him requires further probe.

5.   Accordingly, bail application of applicant Muhammad Ashraf is accepted. He is directed to be released on bail upon furnishing surety in the sum of Rs.200,000/- (Rupees Two Lac only) and P.R bond in the like amount to the satisfaction of the trial Court.

JUDGE