

ORDER-SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA
Crl. Bail Appln. No. S- 449 of 2016.

Date of hearing	Order with signature of Judge
05.12.2016.	

FOR HEARING.

Mr. Amanullah Luhur, Advocate for applicant.
Mr. Sardar Ali Rizvi, A.P.G.

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Through instant application, applicant Qamaruddin Sangi seeks pre-arrest bail in Crime No.94/2015 P.S Civil Line, Larkana, registered under Section 376, 511, 354 P.P.C.

Allegations against the applicant are that on 13.10.2015 he alongwith two unknown accused after committing trespass in the house of complainant Mst. Manzoor Khaton situated in Muhalla Rasool-abad, Larkana tried to commit Zina with her, when she was alone in the house and on her cries, her husband and other witnesses were attracted and seeing them, they fled away. It is also alleged in the F.I.R that during the scuffle the clothes of complainant were torn apart. During the investigation, however the complainant failed to produce the torn cloths to Investigating officer; and when the place of incident was visited by the investigating officer, no incriminating material was found.

Applicant's counsel has argued that F.I.R is delayed for about sixteen days, for which no plausible explanation has been furnished; and actually the complainant has concocted a false story against the applicant to force him to resolve the property dispute with her.

Learned A.P.G after going through the entire record has recorded his no objection.

As record stands, neither torn cloths were produced by the complainant in the investigation nor any incriminating material was found against the applicant. There is nothing against the applicant except the word of the complainant, which in above peculiar circumstances needs to be tested during trial. Accordingly, the interim bail granted to the applicant vide order dated 21.9.2016 is confirmed on same terms and conditions.

JUDGE