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ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA.
1st CrI. Bail Appln. No.S-109 of 2021.

Date of Hearing	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection.
2. For hearing of Bail Application.

Mr. Mohammad Afzal Jagirani, advocate for the applicant.

Mr. Aitbar Ali Bullo, Deputy Prosecutor General.

Date of Hearing : 05.04.2021.

Date of decision : 05.04.2021.

ORDER

Omar Sial, J.- Abdul Wahid has sought post arrest bail in Crime No.1 of 2021 registered under sections 302, 311, 201, 114 and 34, P.P.C. at the Kot Shahoo Police Station. Earlier, his application seeking bail was dismissed on 4-3-2021 by the learned Sessions Judge, Shikarpur.

2. A background to the case is that Nabi Bux, a police officer, lodged the aforementioned F.I.R. on 13-2-2021, on behalf of the State. He recorded that on 13-2-2021 he received spy information that Yasin @ Manzoor Kosh had leveled a false allegation against his wife Samina of dishonoring him and upon the instigation of his grandfather, Abdul Wahid (the applicant), Yasin and 2 unknown men had strangulated Samina to death. Nabi Bux went to the house of the accused persons where one woman named Darya Khatoon narrated the same story to him.

3. I have heard the learned counsel for the applicant as well as the learned D.P.G. and perused the record with their able assistance.

4. It appears that absolutely no investigation in the matter has been carried out by the investigating officer. Though it is alleged that Samina was killed, neither has her body been found to-date nor has the investigation officer collected any clue towards solving the case. Darya

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Khatoon, the only ostensible witness has repeated what the spy informer had allegedly told Nabi Bux except that she also accused Faiz Alam (applicant's son) in the murder. No further details have been given by Darya Khatoon which would shed some light on the incident keeping in view that she claims that the incident happened before her. The applicant is an old infirm man of 70 years. He has been assigned the role of instigation and no overt act. In view of the foregoing, it is yet to be determined whether Samina has indeed been murdered or not. Accordingly, the applicant is admitted to bail subject to his furnishing a solvent surety in the sum of Rs.50,000/- and a P.R. bond in the like amount to the satisfaction of the learned trial Court.


5/4/21
JUDGE

Qazi Tahir PA*