

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA  
Crl. Bail Appln. No.S-372 of 2021.

Date \_\_\_\_\_  
Order with signature of Hon'ble Judge \_\_\_\_\_

1. For orders on office objection.
2. For hearing of Bail Application.

Mr. Ahmed Wadho, advocate for the applicant.  
Mr. Ali Anwar Kandhro, Additional Prosecutor General.  
Complainant Rahim Dad Brohi present in person.

Date of Hearing : 29.09.2021.  
Date of decision : 29.09.2021.

### ORDER

**Omar Sial, J.-** Saeed Ahmad Sheikh has sought post arrest bail in Crime No. 15 of 2021 registered under section 397, P.P.C. at the Gaheja Police Station. Earlier, his application seeking bail was dismissed on 08.07.2021 by the learned Sessions Judge Shikarpur.

2. Aforementioned FIR was lodged on 21.4.2021 via Rahim Dad Brohi recording therein that he along with his relatives was returning home when at about 8 30 p.m. three person(s) intercepted him, out of which he identified one as the applicant. The three persons took away his motorcycle and 2000 rupees.

3. I have heard the learned counsel for the applicant as well as the Addl. P.G. and have also heard the complainant in person. My observations are as follows.

4. At the very outset, the complainant submitted that the applicant was not one of the people who had robbed him and that he has also got back his motorcycle and that as the wrong person has been implicated, he may be released on bail. In light of the complainant's statement, there was nothing left for the Additional Prosecutor General to argue as a massive doubt has been created as to whether this case was registered against the applicant due to malafide. In fact, the learned counsel for the applicant has argued that this is a false case which has been lodged due to a dispute between the Shaikh and the Brohi community. There is no recovery of a weapon even after investigation. How the motorcycle came back to the complainant is also shrouded in mystery.

5. Further inquiry is required to establish the authenticity of the case registered as well as the nexus of the applicant with the crime.

6. Above are the reasons for the short order dated 29.9.2021.

  
JUDGE