

ORDER SHEET

IN THE HIGH COURT OF SINDH CIRCUIT COURT LARKANO

Cr. Bail Application No. S- 430 of 2023

Applicant(s): Saeed Ahmed Brohi, Nadeem Ali Shaikh
and Abid Ali Kalhoro through Mr. Faiz
Muhammad Larik, Advocate.

The State: Through Mr. Ali Anwar Kandhro, Additional
Prosecutor General, Sindh.

Complainant: Naseem Ali through Mr. Tarique Ali
Khuhawar, Advocate.

Cr. Bail Application No. S- 481 of 2023

Applicant(s): Deedar son of Ghulam Ali Brohi, through
Mr. Tarique Ali Khuhawar, Advocate.

The State: Through Mr. Ali Anwar Kandhro, Additional
Prosecutor General, Sindh.

Cr. Bail Application No. S- 482 of 2023

Applicant(s): Deedar son of Ghulam Ali Brohi, through
Mr. Tarique Ali Khuhwar, Advocate.

The State: Through Mr. Ali Anwar Kandhro, Additional
Prosecutor General, Sindh.

Date of hearing: 20.11.2023.
Date of order: 20.11.2023.

ORDER

Muhammad Saleem Jessar-J. By means of this single Order I intend to dispose of three bail applications as all are arising out of crime No.14/2023, for the offence under section 395,148, 149 PPC while Cr. B.A.No.S- 15 of 2023 is offshoot F.I.R bearing Crime No.15 of 2023, for offence under section 24 Sindh Arms Act, 2013, registered with police station Arija, (District Larkana). Prior to this applicants of Cr.B.A.No.S-430/2023, have approached the first forum where they were admitted to interim pre-arrest bail however, later on by order dated 04.08.2023 their bail application was dismissed while bail applications of applicant of Cr.B.A.No. 481 and 842 of 2023 were also dismissed by learned trial court, giving rise to file instant applications.

2. The facts of the case(s) are mentioned in F.I.R, copy whereof has been attached with the memo of bail applications, hence need not to be reproduced here again.

3. Learned counsel for the applicants contended that they have falsely been implicated in the present case by the complainant party with malafide intention and ulterior motive. Learned counsel submits case diary dated 23.10.2023 showing surrender of accused before the trial court, taken on record. Since the case has been challaned which is now pending adjudication for trial before the Court of 5th Additional Sessions Judge, Larkana vide **Sessions Case No.717 of 2023 re: State v. Deedar Ali and others** where the case has been adjourned for 2.12.2023, for evidence. Learned Additional Prosecutor General, Sindh opposes the bail application; however, concedes that the offence under section 395 PPC provides two different punishments one is four years and other is ten years. Hence, considering lesser quantum of sentence both the bail applications are allowed. Consequently, ad-interim pre-arrest bail earlier granted to the applicants vide order dated 07.08.2023, is hereby confirmed on same terms and conditions.

Cr. Bail Application No.S-481/2023 is also hereby allowed. Applicant Deedar Brohi, is admitted to bail subject to furnishing his solvent surety in the sum of Rs.50,000/- and PR bond in the like amount to the satisfaction of trial court.

As far as Cr. Bail Application No.S-482 of 2023 is concerned, since applicant/accused Deedar Brohi, has been granted bail in main case, crime No.14 of 2023, Police Station Arija, under section 395,148,149 PPC vide Cr. B.A.No.S-430/2023, order dated 20.11.2023, passed by this Court, therefore, instant bail application is also allowed being offshoot case i.e. Crime No. 15/2023 under section 24 Sindh Arms Act, 2013. Applicant is admitted to bail subject to furnishing his solvent surety in the sum of Rs.50,000/- (Rupees Fifty thousand) and PR bond in the like amount to the satisfaction of trial court.

JUDGE

S.Ashfaq/*