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ORDER-SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA

Crl. Bail Apnl. No. S- 520 of 2017.

| Date of hearing | Order with signature of Judge           |
|-----------------|---|
| 20.12.2017.     | <u>For hearing of bail application.</u> |

Mr. Ali Nawaz Ghangro, Advocate for applicant.

Mrs. Rubina Dhamrah, ADPP.

Complainant Sajid Ali Khoso, present in person.

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Muhammad Saleem Jessar, J: Through this application, applicant Assadullah Janveri seeks his admission to post-arrest bail in Crime No.188 of 2017 registered at Police Station B-Section Mehar of District Dadu, for the offences punishable under Sections 397 P.P.C.

The crux of prosecution case is that on 02.09.2016 at 05.30 p.m. at "Mangwani Raboo Wah Bridge", four armed persons on two motorcycles intercepted complainant Sajid Ai Khoso and his witnesses, when they were on the way towards their village. The culprits on gunpoint robbed the complainant of his motorcycle and cash of Rs.2000/-; they also robbed PW Zaheer Ali Khoso of his cash worth Rs.5000/-, mobile phone and a Rado watch. PW Sardar Khoso was also robbed of his cash worth Rs.3000/-, ATM card, CNIC and student Identity Card by the culprits. Two of the culprits were identified by the complainant party to be Inayat Janveri and Assadullah Janveri, while two were not identified.

The learned counsel for the applicant has mainly contended that F.I.R is delayed for four days and that complainant Sajid Ali Khoso had filed his affidavit before trial Court as well as before this Court exonerating the applicant from commission of alleged offence and extending no objection to grant of bail to the applicant; that the alleged offence does not fall within prohibitory clause of Section 497 Cr.P.C.

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Per learned counsel the case has been challaned and applicant is no<sup>57</sup> more required to police for further investigation.

Learned ADPP appearing for the State does not oppose grant of bail on the ground that complainant who is present in Court has extended no objection.

Record reflects that, F.I.R is delayed for about four days. The complainant Sajid Ali Khoso filed his affidavit exonerating the applicant from commission of alleged offence and extending no objection to grant of bail in favor of the applicant. The offence, with which the applicant is charged does not fall within prohibitory clause of Section 497 Cr.P.C; the case has been challaned as such applicant is no more required for further investigation.

In view of above circumstances, the applicant has been able to make out a case for grant of bail in his favor. Accordingly, bail application in hand stands allowed and the applicant is granted bail upon his furnishing solvent surety in the sum of Rs.100,000/- (One hundred thousand) and P.R bond in the like amount to the satisfaction of trial Court.

  
JUDGE

Ansari/\*.