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**ORDER SHEET**

**IN THE HIGH COURT OF SINDH BENCH AT SUKKUR**

Cr.B.A.No. 391 of 2012.

1. For orders on MA 2101/12.
2. For Hearing.

11.10.2012. Mr. Alam Sher Bozdar advocate for the applicant.  
Mr. Zulifquar Ali Jatoi DPG.

AHMED ALI SHAIKH, J- Applicant Abdul Jabbar seeks bail in Crime No.243/2011 of Police Station, Pano Akil registered for an offence under Section 395, 353, 324, 302, 114, PPC and 7-ATA for having committed the murder of PC Muhammad Ali and snatching the official G-3 rifles.

2. Since the bail application of the applicant was turned down by the trial Court vide order dated 08.05.2012, therefore through instant application, he seeks concession of post arrest bail.

3. It is inter-alia contended that the applicant is innocent and has been falsely implicated in this case; FIR is delayed by two days and the same could be the result of deliberation and consultation; therefore false implication of the applicant can not be ruled out. He further invited the attention of the Court to Annexure-D Criminal Misc.Application No.488 of 2011 and submitted that the applicant alongwith his all male family members including the minors was confined by the police and later on his family members were let off but he was implicated in a concocted case.

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4. On the other hand learned DPG opposed the application for grant of bail and argued that the name of the applicant finds place in the FIR specific role was assigned to him and during the course of investigation, TT pistol was also recovered from him.

5. Apparently deceased P/C Muhammad Ali lost his life at the hands of applicant and his accomplice while discharging his duty at Police Post. Applicant is nominated in the FIR with specific role for causing fire arm injuries to deceased. Besides above after committing his murder official G-3 rifle was taken away by the culprits. Ocular version is corroborated by medical evidence. Moreover during investigation an unlicensed Pistol has been recovered from the applicant.

6. In view of above we are of the considered view that since the prosecution has collected sufficient material connecting the applicant with the commission of alleged offence, which falls within the Prohibitory Clause of Section 497(1) Cr.P.C, therefore his bail application merits no consideration, which is accordingly dismissed. However trial Court is directed to finalize the trial within two months under compliance report through A.R of this Court.

  
JUDGE

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