

THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD.

Crl. Bail Appln: No. S-482 of 2018.

Sardar.Applicant.

Versus.

The State.Respondent.

Mr. Riaz Mustafa Arain, Advocate for Applicant.

Ms. Ramishan, A.P.G.

Date of hearing and order: 12.06.2018.

O R D E R

IRSHAD ALI SHAH, J. It is alleged that the applicant with rest of the culprits being member of wandering gang associated for purpose of committing dacoity habitually and then made their escape good, for that the present case was registered against him.

2. On having been refused post-arrest bail by the learned Trial Court, the applicant has sought for the same from this Court by making the instant bail application under section 497 Cr.P.C.

3. I have heard the learned counsel for the parties and perused the record.

4. The identity of the applicant at night time under the search light is appearing to be a weak piece of evidence. No dacoity took place. There is no independent witness despite prior information. Mere assembly of few persons is not enough to make a conclusion that it was constituted with intention to commit dacoity. In these premises, it is rightly being contended by learned counsel for the applicant that the applicant is entitled to be released on bail, as his case is calling for further inquiry.

5. In view of above, the applicant is admitted to bail subject to his furnishing surety in the sum of Rs.50,000/- (Rupees fifty thousand) and P.R. Bond in the like amount to the satisfaction of the learned trial Court.

6. The instant bail application is disposed of in above terms.

J U D G E