

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD.

Cr.B.A.No.S-1018 of 2020

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders on office objections.
For hearing of main case.

20.11.2020.

Mr. Muhammad Shafique Khan, Advocate for applicant.

Ms. Sobia Bhatti, Assistant Prosecutor General Sindh.

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Irshad Ali Shah J:- It is alleged that the applicant with the rest of the culprits assembled and / or made preparation for committing dacoity, for that the present case was registered.

2. The applicant on having been refused post arrest bail by learned VIIIth Additional Sessions Judge, Hyderabad has sought for the same from this court by way of instant application u/s 497 Cr.P.C.

3. It is contended by learned counsel for the applicant being innocent has been involved in this case falsely by the police and he is in custody since eight months. By contending so, he sought for release of the applicant on bail on point for further enquiry.

4. Learned A.P.G for the State has opposed to release of the applicant on bail by contending that on arrest from him has been secured the incriminating T.T pistol.

5. I have considered the above arguments and perused the record.

6. Mere assembly of five or more person is not enough to make a conclusion that it was constituted with intention to commit robbery. There is no independent witness to the incident. The pistol has said to have been foisted upon the applicant by the police. The case is finally challaned. There is no chance of tempering with the evidence on the part of applicant. The applicant is in custody since eight months. In these circumstances, a case for grant of bail to applicant on point of further inquiry obviously is made out.

7. In view of above, the applicant is admitted to bail subject to his furnishing surety in sum of Rs.50,000/-and PR bond in the like amount to the satisfaction of learned trial court.

8. The instant application is disposed of accordingly.

JUDGE.