

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

Cr.B.A.No.S-1017 of 2020

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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 robbed luggage vehicle of TCS company together with the parcels lying therein, 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 that the name of applicant is not appearing in FIR; he has been subjected to identification parade on 4<sup>th</sup> day of his arrest; the applicant has nothing to-do with the alleged recovery and he is in custody since eight months without effective trial. 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 robbed parcels.

5. I have considered the above arguments and perused the record.
6. It was night time incident. The identity of the applicant therefore, was doubtful. Even otherwise, the name and descriptions of the applicant are not appearing in FIR of the incident. The applicant has been subjected to identification test on 4<sup>th</sup> day of his arrest. No explanation to such delay is offered. The recovery of the robbed parcels of TCS company from the house of applicant are alleged to have been foisted upon him 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.