

**ORDER SHEET.**  
**IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR.**

**Cr. B.A. No. S- 386 of 2016**

For hearing.

**25.8.2016**

Mr. Amir Intiaz Hussain Solangi advocate a/w applicant, who is present on interim pre-arrest bail.  
Mr.Saleem Akhtar, Addl. P.G.

\*\*\*\*\*

The applicant/accused Insaf seeks pre-arrest bail in Crime No. 09 of 2015 of P.S. Keti Kanoori for offences under sections 337H(ii), 429, 436, 427 PPC.

It appears that after registration of FIR, applicant Insaf and 09 others approached learned Sessions Judge, Khairpur for pre-arrest bail. Application for pre-arrest bail was declined to applicants Miandad, Insaf and Sikandar by learned Additional Sessions Judge, Gambat vide order dated 1.2.2016 on the ground that they were not present before the court of Additional Sessions Judge, Gambat at the time of hearing bail application. Thereafter, applicant Insaf approached this court for similar relief.

Today, learned advocate for applicant through his statement has filed certified true copy of bail order dated 27.6.2016, passed by learned Additional Sessions Judge, Gambat in respect of co-accused Sikandar, who was granted bail after arrest. Counsel for applicant submits that case of applicant is identical to the case of co-accused Sikandar, who has been granted post arrest bail.

Learned Addl. P.G confirms that case of applicant is identical to case of co-accused Sikandar.

**ORDER SHEET.**  
**IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR.**

In view of the dictum laid down in the case of **Muhammad Ramzan v. Zafar Ullah (1986 S C M R 1380)**, in which Hon'ble Supreme Court has held as under:

“3..... No useful purpose would be served if the bail of Zafar Ullah Khan respondent is cancelled on any technical ground because after arrest he would again be allowed bail on the ground that similarly placed other accused are already on bail. We, therefore, in the circumstances of this case, do not consider it fit case for grant of leave to appeal. This petition accordingly, dismissed”.

In view of above, since case of applicant is identical to the case of co-accused Sikandar who has already been granted post arrest bail by learned Additional Sessions Judge, Gambat, therefore, interim pre-arrest bail earlier granted to the applicant by this court vide order dated 17.6.2016 is hereby confirmed on same terms and conditions.

**Judge**

Ahmed