

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Cr. Bail App. No. S – 653 of 2023

Date of hearing

Order with signature of Judge

For hearing of bail application

1. For order on office objections at Flag-A
2. For hearing of bail application

23.10.2023

Mr. Muhammad Ali Mughul, Advocate for applicants along with applicants.

Mr. Aftab Ahmed Shar, Additional Prosecutor General.

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Muhammad Iqbal Kalhoro, J. – Complainant is a watchman in Municipal Committee, Khairpur and was posted in the Water Supply near Village Khushk, where an electric transformer of 100 KVA was installed. On the night of incident viz. 16.08.2023, he, on account of some emergency, left his duty and when came back in the morning, he found three (03) coils of transformer stolen and the transformer lying on the ground. He reported the matter to his high-ups and ultimately came to know that applicants along with others were involved in such stealing; hence, FIR on 22.08.2023.

2. Learned Counsel submits that co-accused have already been granted bail by the trial Court and there is no evidence against the applicants except a word of the complainant in FIR. His view has not been opposed by learned Additional Prosecutor General.

3. In addition, the role of complainant is suspicious as he was posted as a watchman but had left the place of his posting without informing anyone. Therefore, his part in the alleged offence cannot be ruled out. Except the words of complainant, based on some vague source, no evidence is against the applicants. And therefore the case against applicants is one of further inquiry.

4. In view of above, this application is **allowed** and ad-interim pre-arrest bail already granted to applicants, vide order dated 25.09.2023, is hereby **confirmed** on the same terms and conditions.

5. The observations made hereinabove are tentative in nature and shall not influence the trial Court while deciding the case on merits.

The bail application stands **disposed of** in the above terms.

Abdul Basit

J U D G E