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ORDER SHEET  
IN THE HIGH COURT OF SINDH CIRCUIT COURT LARKANA  
Crl. B.A No. S- 44 of 2015

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on Office objection 'A'
2. For Hearing

06.03.2015


Mr. Faiz Muhammad Larik, advocate for the applicant.  
Mr. Muneer Ahmed Abbasi, DDPP.  
Mr. Ahmed Raza Sundrani, advocate for complainant.

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Applicant Shafi Muhammad Bhangwar seeks post arrest bail in crime No.150/2014 registered at Police Station Buxapur for offence under section 462-B, PPC.

2. Brief facts of the prosecution case as disclosed in the F.I.R are that on 23.12.2014 Muhammad Ejaz, Security In charge PARCO was on patrolling duty along with PCs Abdul Subhan, Wasayo Khan, Noor Hassan and Zulfiqar. At 2350 hours, PARCO officials reached at Rano Deh where on headlights of the vehicles noticed some movements at PARCO pipeline. The accused persons were identified to be Wajid alias Majid, Gulsher, Fareed Bangwar, Abdul Kareem Golo armed with Klashnikovs and two unidentified persons being armed with Klashnikovs. It is alleged that accused persons by using the clip in the pipeline were stealing the oil. It is said that accused persons while seeing the PARCO officials succeeded in running away taking the benefit of darkness. F.I.R was lodged at Police Station, Buxapur. After usual investigation, challan was submitted against the accused in the above referred sections.

3. Mr. Faiz Muhammad Larik, learned counsel for the applicant Shafi Muhammad has mainly contended that name of applicant did not transpire in the F.I.R; after his arrest, he was not put to identification test; nothing was recovered from his possession. He also argued that co-accused Gulsher has been granted bail by learned Assistant Sessions Judge, Kashmore vide order dated



13.01.2015 and case of present applicant is on better footings. He has submitted that applicant has been involved in this case falsely.

4. Mr. Muneer Ahmed Abbasi, learned DDPP assisted by Mr. Ahmed Raza Sundrani, counsel for the PARCO argued that applicant Shafi Muhammad has been implicated by the P.Ws in their 161, Cr.P.C statements as such, they have opposed the bail application.

5. I am inclined to grant bail to applicant Shafi Muhammad for the reasons that name of the applicant Shafi Muhammad does not transpire in the F.I.R and he has been implicated by the P.Ws subsequently. Co-accused Gulsher has also been granted bail by the trial Court holding that case against him required further enquiry. After usual investigation, challan has been submitted. Applicant is no more required for further investigation. Nothing has also been recovered from the possession of applicant, therefore, involvement of the applicant at subsequent stage requires further enquiry as contemplated in Section 497, Cr.P.C. Consequently, concession of bail is extended to the applicant subject to his furnishing surety in the sum of Rs.200,000/- with P.R in the like amount to the satisfaction of trial Court.

6. Needless to mention that the observations made herein above are tentative in nature and shall prejudice the case of either party at trial.

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Judge 6/3/2015