

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

Cr. Bail Application No.S-190 of 2022

DATE **ORDER WITH SIGNATURE OF JUDGE(S)**

1. For orders on office objections.
2. For hearing of main case.

11.04.2022.

Mr. Ali Raza Channa, Advocate for applicant a/w applicant
Ms. Rameshan Oad, Assistant P.G.

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ORDER.

SALAHUDDIN PANHWAR, J.- Through this application, applicant Ali Jan alias Rashid Shah seeks pre arrest bail in Crime No.24 of 2022 registered at P.S B-Section Nawabshah, under Section 302 PPC. Previously, same plea has been declined by learned Ist Additional District & Sessions Judge / Judge Model Criminal Trial Court, Shaheed Benazirabad vide order dated 23.02.2022.

2. Concisely, the facts of the prosecution case are that there was exchange of hot words between applicant and complainant on grocery issues. On 10.02.2022 son of complainant namely Muhammad Ayan alongwith others was standing in their street near grocery shop of accused party where Tanveer Ahmed alias Shani and Rashid Shah arrived. Tanveer alias Shani took out pistol from his fold and alarmed to complainant for committing murder and saying so he made straight fire upon complainant party which hit to son of complainant who fell down. Thereafter, accused Tanveer Ahmed alias Shani and Rashid Shah ran away. Complainant's son sustained fire arm injury on left side of head and through from right side and blood was oozing. He was shifted to the hospital where he passed away in ICU Center, hence, FIR was lodged.

3. Heard learned Counsel for applicant as well learned A.P.G and perused record. Admittedly, the principal accused has been granted bail by the trial Court due to compromise between the parties vide order dated 19.03.2022. Learned Counsel for applicant contends that though applicant's case is better than the case of principal accused and he is also entitled for bail on the rule of consistency, to which learned A.P.G extended no objection. Accordingly, interim pre-arrest bail already granted to the applicant vide order dated 25.02.2022 is hereby confirmed on same terms and conditions. Criminal Bail Application is disposed of accordingly.

JUDGE

Shahid