

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

Criminal Bail Application No.S-1028 of 2024

**DATE**

**ORDER WITH SIGNATURE OF JUDGE**

**03.10.2024**

Mr. Ayaz Khaskheli, Advocate for applicant.

Mr. Shewak Rathore, Deputy Prosecutor General Sindh for the State along-with SIP Ali Bakhsh Khosa PS Mashaikh Hoti District Tando Allahyar.

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**ZULFIQAR ALI SANGI, J.-** Through instant Criminal Bail Application applicant Muhammad Aijaz @ Ali seeks post-arrest bail in Crime No.28 of 2023 registered at P.S. Mashaikh Hoti, District Tando Allahyar under sections 23(i)(a) Sindh Arms Act.

2. The accusation against applicant is that he was arrested in Crime No.26 of 2023 in police encounter case and during investigation also found possessing an unlicensed pistol along-with live bullets; hence this case has been registered against him.

3. The bail application has been sought only on the ground that pistol has been foisted upon the applicant and all the witnesses are police officials; that applicant is behind the bars since his arrest and the case has not been proceeded, therefore, applicant is entitled for grant of bail.

4. Learned DPG opposed the grant of bail on the ground that sufficient material available on record connecting applicant with the commission of alleged offence.

5. I have heard learned counsel for applicant, learned DPG and perused the material available on record.

6. Since the applicant has been granted bail in main case (Criminal Bail Application No.S-1023 of 2024) wherein he is alleged to have fired upon police party and he is behind the bars since his arrest couple with the fact that no material witnesses have been examined by the trial Court to conclude its trial. None of the police official sustained injury. Under these circumstances, the case requires further inquiry, result thereof, this bail application is allowed and the applicant is admitted to post-arrest bail subject to his furnishing solvent surety in the sum of Rs.50,000/- and PR bond in the like amount to the satisfaction of Trial Court.

7. The observations made hereinabove are tentative and would not influence learned Trial Court at the time of deciding the case as the same are only for deciding this bail application.

JUDGE