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ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA  
1<sup>st</sup> CrI. Bail Appln. No.D-35 of 2016.

Applicants : Amjad Ali Khokhar and another,  
through Mr. Habibullah G. Ghouri, Advocate.

Respondent : The State, through Mr. Khadim Hussain  
Khooharo, DPG.

Date of hearing : 30.08.2016.  
Date of order : 30.08.2016.

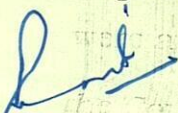
ORDER

**ZAFAR AHMED RAJPUT, J.-** Through the instant Criminal Bail Application, the applicants, namely, Amjad Ali son of Anwar Ali Khokhar and Naveed Ali son of Wazir Ali Khokhar, seek post arrest bail in Crime No.07/2016, registered at Police Station Market, Larkana, under Sections 3/4 Explosive Substances Act, 1908 read with Section 6/7 of the Anti-Terrorism Act, 1997. Earlier to this, their bail application bearing No.08/2016 filed in Special Case No.07/2016 was dismissed by the learned Judge, Anti-Terrorism Court, Larkana, vide order dated 18.3.2016.

2. Briefly stated, the prosecution case is that the above-named applicants/accused were allegedly apprehended from railway track near Sir Katio Peer, Larkana and during personal search two Hand-Grenades were recovered from the possession of each of the applicants, hence they were arrested and after usual investigation challan was submitted before the Court of law against the applicants.

3. Heard the learned Counsel for the applicants, learned DPG for the State and perused the material available on record.

4. The applicants/accused were allegedly arrested on 15.1.2016, but the record reveals that on 05.1.2016 Mst. Nazeeran Begum, the mother of applicant Amjad Ali and aunty of applicant





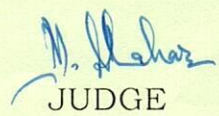
Naveed Ali, filed C. P. No.D-09/2016 before this Court, alleging therein that the SHOs of Police Stations Rehmatpur and Waleed, Larkana alongwith several police officials entered into her house situated in Khaliq Colony, Larkana and arrested the applicants above-named, as such, notices were ordered by the Court to be issued to the said SHOs for 13.1.2016, on which date the SHOs of Police Stations Rehmatpur and Waleed, Larkana filed their comments denyng the detention of the applicants/accused; thereafter, the matter was adjourned to 14.1.2016, on which date the SSP, Larkana was directed to appear in person and explain the position with regard to the allegations levelled against his subordinates and to submit a detailed report on 15.1.2016 at 11.00 a.m. However, on the very date i.e. 15.1.2016 the alleged arrest of the applicants/accused alongwith recovery was shown by the police in the aforementioned crime.

5. The learned DPG, when confronted with the aforementioned facts, has candidly admitted that at-least at this stage of the case the applicants have successfully made out their case for further enquiry as envisaged under subsection (2) of Section 497, Cr.P.C.

6. For the foregoing facts and discussion, holding the case of applicants/accused as one of further enquiry, we admit them to bail subject to their furnishing solvent surety in the sum of Rs.200,000/- (Rupees Two Lac only) each and P.R bond in the like amount to the satisfaction of trial Court. It is, however, made clear that if after their release on bail the applicants/accused in any manner misuse the concession of bail, the trial Court shall be at liberty to cancel their bail after giving them a notice.



JUDGE



JUDGE