

ORDER SHEET
IN THE HIGH COURT OF SINDH
CIRCUIT COURT HYDERABAD
Criminal Bail Application No.S-1046 of 2022

DATE	ORDER WITH SIGNATURE OF JUDGE
04-11-2022	

Mr. Mukhtiar Ali Shahani advocate for applicants along with applicants.

Mr. Safdar Ali Charan advocate for complainant along with complainant.

Ms. Rameshan Oad, Assistant Prosecutor General Sindh.

MUHAMMAD IQBAL KALHORO, J:- On the night between 20.09.2022 and 21.09.2022 from the land of Zamindar Abdullah Shoro coils of two 25 KV Electricity Transformers available on his land were stolen. It is stated in FIR that on the lands of said Zamindar flood water was standing, yet foot prints of four persons were found and which led to village of applicants. The said Zamindar complained to nekmards of the village Mir Hassan and others who assured him of returning the coils but later on showed their inability and took name of the applicants to be the thieves. Thereafter complainant who is Kamdar of the said Zamindar appeared at PS and lodged FIR.

2. Except a word of the complainant no other evidence is available against applicants. Parties are already at odds with each other as so many FIRs have already been registered by them against each other. In the investigation no recovery has been effected and the fact that on the day of incident flood water was standing would mean that tracking of foot prints would require further inquiry. Citing these grounds learned counsel for applicants has pleaded for bail, opposed by learned counsel for complainant and learned A.P.G. Sindh. However they both have failed to point out prima facie evidence against applicants connecting them with the commission of offence. Further, false implication of the accused by complainant party who is on inimical terms with them cannot be ruled out. Therefore, this application is allowed and the interim bail is confirmed on the same terms and conditions whereby the applicants were granted interim bail.

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

JUDGE