

heard and dismissed by the learned II<sup>nd</sup> Additional Sessions Judge, Kamber vide consolidated order, dated 26.06.2018. Applicant Kareem Bux Korejo in was admitted to ad-interim bail by this court vide order, dated 20.07.2018, now he seeks confirmation of the same.

2. Briefly stated facts of the prosecution case are that, on 07.04.2018, complainant Razi Khan S/o. Gulzar Ali lodged aforementioned F.I.R. stating therein that on 01.03.2018, he along with his father Gulzar Ali Korejo and his uncle Rajib Ali were available in the house at about 7:00 p.m. when at the call, they went out and saw there two persons standing with a motorcycle with open faces, who were already known to them, they made his father seated in middle of the motorcycle and went away towards Noor Waah and did not come back and; thereafter, on 06.04.2018, at 09:00 a.m., they found the deadbody of Gulzar Ali lying on the land of Muhammad Juman in decomposed condition.

3. Learned counsel for the applicants has mainly contended that the applicants are innocent and have falsely been implicated in this case with the connivance of police with mala fide intention and ulterior motives; that the applicants are not nominated in the F.I.R. and they have been implicated in the case on the basis of further statement of complainant and two prosecution witnesses whose statement were recorded after two months of the alleged incident; that the applicants and complainant party are close relative as they are cousin inter-se and despite of such fact, as per F.I.R., the persons who took the father of the complainant with them were known to complainant, they were not nominated in the F.I.R., which makes the case of the applicants one of further inquiry, entitling them to the concession of bail.





4. On the other hand, learned counsel for the complainant has vehemently opposed the grant of bail to the applicants on the ground that they are involved in the murder of complainant's father and they have been implicated in the case on the bases of statements of by two witnesses, namely, Manji and Mst. Sahib Khatoon (*the wife of deceased*), recorded under section 161 Cr.P.C.

5. Learned A.P.G however, has conceded grant of bail to applicants on the ground that it is a fit case of further enquiry.

6. Heard learned counsel for the applicants, complainant as well as A.P.G and perused the material available on record.

7. It appears that the F.I.R. has been lodged by the complainant against the persons, claiming to be known to him, who took his father with them on motorcycle and the present applicants, who are admittedly closed relatives of the complainant, have been implicated in the case on the bases of further statement of complainant and statements of two prosecutions' witnesses, whose statements have been recorded by the I.O after two months of the alleged incident, however, their presence in the house has not been shown in the F.I.R. Hence, the case of applicants calls for further probe within the meaning of subsection (2) of Section 497 Cr.P.C.

8. For the foregoing facts and reasons, the ad-interim pre arrest bail granted to the applicant Kareem Bux Korejo in Cr. Bail Application No. **S-380 of 2018** vide order, dated 20.07.2018, is hereby confirmed on the same terms and conditions, while applicants Sain Bux s/o. Faqeer Muhammad Korejo and Ali Bux s/o Ghulam Hyder Korejo in Cr. Bail Application No. **S-362 of 2018** are admitted to post-arrest bail subject to



their furnishing solvent surety in the sum of Rs. 3,00,000/= (Rupees Three Lacs Only), each, and P.R bond in the like amount to the satisfaction of Additional Registrar of this Court.

9. Needless to say that the observations made by this Court are tentative in nature and shall not influence the trial Court while deciding the case on merits and in case the applicants and in case the applicant(s) misuses the concession of bail, the trial Court shall be at liberty to cancel the same after giving notice to him/them, in accordance with law.

Above are the reasons of my short order dated 17.08.2018.

  
JUDGE

Mr. Shulam Nabi Sh. Fazal Muhammad  
CNIC No. 43003-0727549-5  
Stood surety for applicant(s) / accused (Name(s) a/w CNIC No.)  
1. Sami Bani & Fazal Muhammad  
CNIC NO 43402-0400060-5  
2. Ali Bani & Shulam Nabi CNIC 43003-830584-7  
In the Sum of Rs. 300000 each Total  
Rs. 600,000 On 05-04-2019  
Vide Surety Bond No. 112/2019

  
Accountant

## ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA.

Cr. Bail Application No. **S-362** of 2018Cr. Bail Application No. **S-380** of 2018

Date	Order with signature of Hon'ble Judge
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Applicants in Cr. Bail Application No. **S-362** of 2018:

1. Sain Bux s/o. Faqeer Muhammad Korejo
2. Ali Bux s/o Ghulam Hyder Korejo

Applicants in Cr. Bail Application No. **S-380** of 2018:

Kareem Bux s/o Ghulam Hyder Korejo

All the applicants in both Cr. Bail Applications through Mr. Mazhar Ali Mangan, Advocate.

Respondent in both Cr. Bail Applications: The State, through Mr. Khadim Hussain Khooharo, A.P.G.

Complainant in both Cr. Bail Applications: Razi Khan s/o Gulzar Ali Korejo, through Mr. Muhammad Aslam Mughari, Advocate.

Date of hearing: 17.08.2018.

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**ORDER.**

**ZAFAR AHMED RAJPUT-J.**:- By this common order, I intend to dispose of both the listed bail applications, as the same being arising out of same Crime/ F.I.R No. 13 of 2018, registered at P.S Mahi Makool, District Kamber-Shahdadkot at Kamber, under sections 302, 120, 120-B, 34 PPC, have been heard together.

1. Through Cr. Bail Application No. **S-362** of 2018, applicants/ accused Sain Bux s/o. Faqeer Muhammad Korejo and Ali Bux s/o Ghulam Hyder Korejo seek post-arrest bail while by means of Cr. Bail Application No. **S-380** of 2018, applicant Kareem Bux s/o Ghulam Hyder Korejo prays for pre-arrest bail in aforementioned crime. Their earlier bail applications bearing Cr. Bail Applications No.596 & 954 of 2018, respectively, were