ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI.

Cr. Bail Appl No.1363 of 2020

Date	Order with signature of Judge

For hearing of bail application

06.10.2020

Mr. Nasrullah Malik, advocate for applicant
Mr. Abrar Ali Khichi, Addl: P.G. Sindh

ORDER

Allegation against the applicant is that he along with co-accused named in FIR dispossessed the complainant from his Plot No.LT-1/137, Sector-08, Surjani Town, Karachi on 18.05.2020 and when the complainant went to claim its possession by showing his documents, the accused including applicant demanded 'bhatta' of Rs.500,000/- from him.

2. Learned defence counsel has argued that applicant is innocent and has been falsely implicated in this case; that FIR is delayed for 05 days; the investigation is over and applicant is no more required for further investigation. He further submits that co-accused Sahib Khan Mari has already been granted bail by this court in Cr. B.A. No.1109/2020 vide order dated 20.08.2020, therefore, the rule of consistency is applicable in the case of applicant.

3. Much as learned Addl: P.G. Sindh has opposed grant of bail to the applicant but has not denied that except the demand of 'bhatta' no other evidence is available against the applicant and the co-accused having been assigned similar allegation has been granted bail already. We, in the circumstances are of the view that applicant is entitled to the concession of bail on the rule of consistency. Accordingly, the application is allowed and applicant is granted bail subject to his furnishing a solvent surety in the sum of Rs.1,00,000/ (Rupees one lac) with P.R. bond in the like amount to be executed to the satisfaction of the trial Court.

4. The bail application is disposed of in the above terms; the findings made hereinabove are tentative in nature and would not prejudice case of either party at trial.

Judge

Judge

Rafiq P.A.