

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.

Present:-

MR. Justice Muhammad Iqbal Kalhoro J.
Mr. Justice Khadim Hussain Tunio J

Cr. Bail Appl Nos.668 of 2024
(Abdul Rahim **vs.** The State)

Cr. Bail Appl Nos.669 of 2024
(Abdul Rahim **vs.** The State)

Cr. Bail Appl Nos.670 of 2024
(Abdul Rahim **vs.** The State)

For hearing of Bail Application.

05.04.2024

Mr. Hyder Farooq Jatoi, Advocate for the applicant.
Mr. Ali Haider Saleem, Addl: PG Sindh

ORDER

MUHAMMAD IQBAL KALHORO J: Applicant was arrested on 28.01.2024 by the police party of Police Station Kalakot, Karachi after an alleged encounter along with co-accused Hanzala and from him a 30 bore unlicensed pistol and some explosive material was also recovered. One 30 bore pistol was recovered from co-accused Hanzala, whereas, one accused is stated to have been escaped from the spot. Co-accused, Hanzala has been granted bail by the trial Court on the ground that his mother had filed an application under Section 491 Cr.PC on 27.01.2024 for his illegal confinement.

2. The grounds taken in defence by counsel is that if the arrest of co-accused has been *prima facie* doubted by the trial Court, the arrest of the applicant would also become doubtful. He further submits that even otherwise rule of consistency is applicable to the case of the applicant and same rule has been assigned to the co-accused, who has been granted bail.

3. Learned Addl: PG Sindh has opposed bail but has not been able to controvert above facts.

4. Accordingly, in view of above on the basis of rule of consistency, we allow these bail applications and grant bail to the applicant subject to his furnishing solvent surety in the sum of Rs.50,000/- in each case to the satisfaction of the trial court.

5. The bail applications are disposed of in the above terms. Needless to mention here that the findings made hereinabove are tentative in nature and would not prejudice case of either party at trial.

J U D G E

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Rafiq/P.A.