

73

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

**Cr. Bail Application No. S-416 of 2024**

Applicant: Faiz Ahmed through Mr. Suhendar Kumar, Advocate.

The State: Through Mr. Aitbar Ali Bullo, Deputy Prosecutor General, Sindh

Date of hearing: 04-02-2025

Date of order: 04-02-2025

**O R D E R**

**Khalid Hussain Shahani, J:-** Applicant Faiz Ahmed Brohi seeks pre arrest bail in case Crime No.16/2024, for offence under section 380 PPC registered with police station B-Section Shahdadt. Such Request was turned down by the Court of learned Additional Sessions Judge-I, Shahdadt vide order dated 24.07.2024.

2. Briefly stated, the facts derived from the F.I.R. lodged by Assadullah Magsi on 02.04.2024 are that on 09.03.2024, he, along with his friends namely Allah Bux and Irfan went to attend marriage ceremony of Zafaulah Jamali at Marvi Banquet on Vehicle. He was having eleven hundred thousand cash which he kept beneath the driver seat. They after parking the vehicle outside the marriage hall attended the marriage and after attending the same at about 05:15 pm found the left side window mirror broken and cash amount stolen. After seeking counsel from elders, the complainant lodged the F.I.R. detailing these allegations.

3. Heard learned Counsel for the applicant and the learned Deputy Prosecutor General representing the State, and has thoroughly examined the material presented on record.

4. At the very outset, from bare reading, name of applicant not appears in the FIR, therefore, a specific query has been made from learned DPG, what piece of evidence has been collected by the I.O against the applicant to link him with the commission of alleged offence. He candidly concedes that there is nothing on the record against the applicant. Besides, co-accused Ali, Fareed and Bahawal Khan are already on post and pre-arrest bails granted by learned Civil Judge and JM-II, Shahdadt and Additional Sessions Judge-II, Kamber vide orders dated 7.5.2024 and 29.11.2024 respectively. Therefore, the applicant also

F.I.R. 16/24

deserves the same concession on the rule of consistency. Accordingly, instant bail application is allowed. The interim pre arrest bail earlier granted to the applicant is hereby confirmed on same terms and conditions.

  
JUDGE

S.Ashfaq/-