

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI.**  
**Cr. Bail Appl. No.2118 of 2024**  
*(Akbar @ Akoo vs. The State)*

Date	Order with signature of Judge
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**For hearing of Bail Application.**

**24.10.2024.**

Mr. Abdul Khaliq, advocate for applicant

Ms. Rahat Ahsan, Addl: PG Sindh

Complainant in person

**ORDER**

**MUHAMMAD IQBAL KALHORO J:** Complainant, who is present in person, has alleged in FIR that his brother, namely, Murad Ali was murdered by co-accused Majeed Sahto, by a dagger (knife) blow. He was facilitated by co-accused Murad Ali, who had caught hold of his brother Murad Ali Sahto; whereas, applicant had instigated, the said co-accused to commit murder of the deceased.

2. Learned defence counsel has argued that no active role has been assigned to the applicant. This is a case of vicarious liability but it is yet to be determined at the stage of trial. More so, the question whether the co-accused acted under the influence and instigation of applicant is yet to be answered in the trial on recording of evidence. Applicant although was present at the spot but he did not cause any harm to the deceased, hence, this case requires further enquiry.

3. Complainant, present in person, has opposed the bail, so also, learned Addl: PG Sindh.

4. Notwithstanding, the only role ascribed to the applicant is of instigation and abetment. Applicant although was present at the spot but he did not cause any harm to the deceased. His sharing vicarious liability with the co-accused is to be determined at the stage of trial, so also, the question whether the co-accused acted under the influence and abatement of the applicant or not. The case has been challaned and the applicant is no more required for further investigation. In the circumstances this bail application is allowed and applicant is granted bail subject to his furnishing a solvent surety in the sum of Rs.200,000/ (Rupees two lac) with P.R. bond in the like amount to be executed to the satisfaction of the trial Court.

5. Bail application are 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**

Rafiq/P.A