

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA
Criminal Bail No.S-693 of 2023

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objections at flag "A".
2. For hearing of Bail Application.

20.01.2025

Mr. Habibullah G. Ghouri, Advocate for the Applicants.
 Mr. Mir Muhammad Bhagat, Advocate for the Complainant.
 Mr. Aitbar Ali Bullo, Deputy Prosecutor General, Sindh.

I have heard learned counsels for the applicants and the complainant as well as Deputy Prosecutor General, Sindh. Mr. Ghouri has explained to me that initially the applicants were sentenced to death, but in appeal their case was sent back to the learned trial Court for denovo trial. Mr. Ghouri has stressed that when the case was sent back for denovo trial, one of the co-accused Ghulam Sajjd was on bail and he was granted bail by this Court when it remanded the case back. Mr. Ghouri has also stated that the applicants have been incarcerated for over six years. Mr. Ghouri is correct in his submissions that Ghulam Sajjad is on bail; however, it appears that the reason that this Court granted him bail was because he was already enjoying the concession of bail when the case was sent back and the same concession was not extended to the two applicants as they were in custody at that time.

Keeping in view the allegations raised against the applicants and the fact that in the first round they have been sentenced to death, it would be appropriate in the circumstances of the case, if this case is treated on priority by the learned trial Court and all efforts to be made to dispose it of within a period of three months. I noticed from the progress report furnished by the learned District and Sessions Judge, Larkana that two witnesses have already been examined, whereas two others have been attending the Court, but they have not been able to record their testimony because of the absence of the defense counsel. Mr. Ghouri shall inform his client that if their counsel continued to not appear before the learned trial Court, an adverse inference may be drawn from their counsel's non appearance.

Bail application stands dismissed in the above terms.


Judge