

THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANO

Cr. Bail Application No.5-697 of 2023.

Date	Order with signature of Judge
	1. For orders on office objection as Flag A.
	2. For hearing of bail application.

14.12.2023.

Mr. Ghulam Sarwar Abdullah Soomro, Advocate a/w applicant (on bail).

Mr. Ali Anwar Kandhro, Additional Prosecutor General, Sindh a/w

ASI- ALI Bux I.O of the case, Shabir Ahmed Bhutto, SHO, Hamza, ASI Ali Bux PS Sachal, ASI Allah Wadhayo, PS Kanga and SIP Ali Dsot on behalf of SSP, Larkana.

ORDER

Process issued against the complainant has been returned unserved taken on record. I.O/ASI P.S Kanga present submits that interim challan of the case has been submitted by him before the Court having jurisdiction and due to insufficient evidence the applicant has been found innocent therefore, his name has been kept under column No.II of the challan. SIP-Ali Dost submits compliance report on behalf of SSP, Larkana taken on record.

Learned counsel for the applicant submits that applicant has been found innocent by the I.O therefore, his name has been kept under column-II of the challan. Besides, co-accused Khuda Bux having similar role and co-accused Akhtiar alias Makhan (though he was not nominated in the F.I.R) have been bailed out by 4th Additional Sessions Judge, Larkana. Therefore, the case against applicant is not only at par to that of co-accused but is on better footing hence, by granting this bail application, interim bail granted to the applicant may be confirmed.

Learned Additional Prosecutor General, Sindh submits that co-accused have already been granted to pre-arrest as well as post arrest bail and the applicant's name has been placed in column-II of the challan sheet, hence he does not oppose the bail application.

Heard. Record perused.

61

No doubt the applicant was nominated in the F.I.R, however, during investigation he was declared innocent therefore, his name has been kept under column-II of the challan, besides co-accused Khuda Bux having identical role and Akhtiar @ Makhan have also been granted bail by the Court of 4th Additional Sessions Judge, Larkana, therefore, case of applicant is not only at par rather is on better footings then that of co-accused. As per statement of I.O, alleged abductee namely Mst. Safiyan Khatoon, happens to be wife of complainant, had married with one Gulzar (co-accused) who is still at large and has not been arrested. Hence, propriety of law demands the applicant should also be extended same treatment. Hence, case against him requires further probe. Consequently, instant bail application is hereby allowed. Interim pre-arrest bail already granted to him vide order dated 4.12.2023, is hereby confirmed on same terms and conditions.

JUDGE

S-Ashfaq/*

Application in DFO matter

- 1- For Orders in MA 2084/25 - (u/s)
- 2- For Orders in MA 2085/25 - (S61²)