

ORDER SHEET  
**IN THE HIGH COURT OF SINDH, CIRCUIT  
COURT, HYDERABAD.**

Cr. Bail A. No.S-738 of 2015.

Date of hearing & decision: 11-09-2015.

Mr. Rana Suhail Mehmood, Advocate for the applicant.

Syed Meeral Shah, D.P.G.

Mr. Ahmed Nawaz Khan, Advocate for the complainant.

**NAZAR AKBAR, J:** - Through the instant application, applicant Muhammad Imran seeks post-arrest bail in Crime No.110/2014, registered with Police Station Town Mirpurkhas, under sections 302 and 34 P.P.C.

2. Briefly, the facts of the prosecution case are that, complainant Muhammad Akram on 01.11.2014 at 1500 hours appeared at Police Station and lodged F.I.R. that due to domestic affairs, the accused Muhammad Imran (applicant) alongwith his mother and brother, namely, Mst. Naeema and Salman, respectively, has murdered his sister.

3. Learned counsel for the applicant mainly pressed the instant bail application on the ground of rule of consistency, as according to him, co-accused Muhammad Salman and Mst. Naeema, against whom same allegations are leveled in the FIR, have already been granted bail by the learned trial Court. He further contended that there is no reasonable ground to believe that the applicant has committed the alleged offence; the applicant is innocent and has been falsely implicated in the instant case by the complainant; the prosecution story is false,

fabricated and concocted and highly unbelievable and without any independent or corroborative piece of evidence; that all the P.Ws. are interested; that the case of the applicant requires further inquiry.

4. Learned counsel for the complainant as well as learned A.P.G. Sindh appearing for the State have raised objection to the grant of bail to applicant and submitted that the applicant has committed the offence in brutal manner; that sufficient evidence is available on record to connect the applicant with the commission of the offence, hence he does not deserve any concession.

5. I have heard the learned counsel for the applicant as well as learned counsel for the complainant and A.P.G. Sindh and perused the material available on record.

6. Perusal of the record reveals that no specific role has been assigned to the applicant in the FIR; that on the basis of available record only applicant cannot be held responsible for the commission of alleged offence; that co-accused Muhammad Salman and Mst. Naeema, against whom same allegations are leveled in the FIR, have already been granted bail by the learned trial Court, therefore, applicant also deserves same treatment. It is well settled that at the bail stage deeper appreciation of evidence cannot be made and only it is to be seen as to whether applicant is *prima facie* connected with the commission of offence or not.

7. In view of above, the case of the applicant appears to be one of further inquiry as envisaged under section 497 (2) Cr.P.C. Accordingly, vide short order dated 11.09.2015, the

applicant was admitted to post-arrest bail subject to his furnishing solvent surety in the sum of Rs.200,000/- (two hundred thousand) and PR Bond in the like amount, to the satisfaction of trial Court and above are reasons for that order.

8. The findings made hereinabove are tentative in nature and the trial Court shall not be influenced upon by any of the same while deciding the main case on merits.

JUDGE

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