

IN THE ANTI-TERRORISM COURT NAUSHEHRO FEROZE

Special Case No.14/2018

The State.....Versus.....Sikandar Chandio and others.

FIR No.20/2018,  
U/S: 302, 148, 149, 109, 504 PPC  
R/W Section 6/7 ATA of  
Police Station: A-Section Mehar.

Mr. Athar Abbas Solangi Advocate for accused Sardar Khan Chandio and Burhan Chandio.

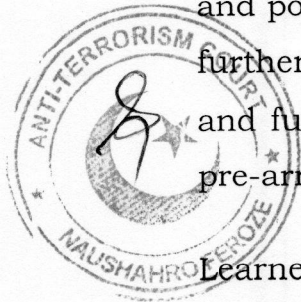
Mr. Azizullah Buriro Advocate for Complainant.

Mr. Shahzad Gul Kalwar APG for the State.

FURTHER ORDER

24.02.2018

Learned counsel for the accused submitted that applicants/accused are innocent and malafidely involved in this case and if they have been sent to jail, it will cause humiliation and harassment to them. He further submitted that applicants/accused are respectable persons and there is no cogent evidence to connect them in commission of the offence. He further submitted that there is delay of about 16 hours in lodgment of FIR and possibility of consultation and consideration cannot be ruled out. He further submitted that applicants/accused have joined the investigation and fully cooperated with the I.O. He prayed for confirmation of interim pre-arrest bail.



Learned Counsel for the complainant submitted that applicants/accused are nominated in FIR with clear motive for commission of offence. He further submitted that plea of alibi of accused Burhan Khan Chandio cannot be considered at this stage. He prayed for cancellation of interim pre-arrest bail granted to applicants/accused. Learned APG for the State submitted that the investigation has been completed and applicants/accused are found innocent and I.O has recommended for applicants/accused Sardar Khan and Burhan Khan u/s 497 and 169 Cr.P.C respectively. In view of investigation learned APG for the State do not raise objection for confirmation of interim pre-arrest bail granted to applicants/accused.

Heard learned counsel for the applicants/accused, learned APG for the State assisted by learned counsel for the complainant and perused the papers. As per FIR only allegation against applicant/accused Sardar Khan is that he has hatched conspiracy of the offence, but no specific date, time, place and witnesses have been disclosed by the complainant in FIR. The plea of alibi of accused Burhan is verified by the I.O by recording statements of witnesses, where applicant/accused stayed at the time of incident and also collected CDR of cell phone numbers used by applicant/accused Burhan Khan, which also shows his presence at Qasimabad. I.O has recorded statements of three independent witnesses from place of occurrence, they have also not supported the version of complainant regarding presence of applicant/ accused and instigation of murder of Karamullah Chandio and others. From the evidence collected by the I.O and no objection raised by the APG for the State, applicants/accused have made out their case for further inquiry, as such interim pre-arrest bail granted to applicants/accused vide order dated: 29.01.2018 stands confirmed on same terms and conditions.

Announced in open court.

Given under my hand and seal of the court, this 24<sup>th</sup> day of February 2018.

*- SD 24-2-2018*

(MANZOOR AHMED QAZI)  
Judge  
Anti-terrorism Court  
Naushehro Feroze

Application Submitted on 16-07-2018  
 Application Granted on 16-07-2018  
 Copies Prepared on 16-07-2018  
 Cost Paid on 16-07-2018  
 Copy Compared by [Signature]  
 Copy Delivered on 16-07-2018  
 Certified to be True Copy

*[Signature]*  
Reader  
Anti-Terrorism Court  
Naushehro Feroze

