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ORDER SHEET

THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA

I-Cr. Bail Appln. No.S-36 of 2017

Cr. Transfer Appln. No.S-43 of 2017

Date	Order with signature of Judge
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1. For order on office objection.
2. For hearing of bail application.

11-12-2017

Mr. Asif Ali Abdul Razak Soomro, advocate for the applicant.

Syed Sardar Ali Shah, D.P.G. for the State.

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The complainant is present along with counsel Mr. Amanullah Luhur advocate, who seeks time on the ground that Mr. Abdul Ghani Bijarani advocate will proceed the case.

Trial court has furnished its report that charge against the accused was framed on 16.11.2015 and thereafter evidence of witnesses Dr. Pir Bux Kalwar M.O and H.C Hidayatullah the author of F.I.R. have been recorded while the complainant and P.Ws are avoiding to appear. The court is still lying vacant. The transfer application No.S-43/2017 has also been moved by the complainant on sole ground that trial court is vacant, therefore, he is unable to produce his witnesses for proceeding the case.

Learned counsel for the applicant and learned D.P.G. for the State have no objection for withdrawal of the Sessions Case No.106/2015, Re: State V/S Bux Ali and others from the file of Additional Sessions Judge, Kashmore to any other court having jurisdiction.

Accordingly, the file of Sessions Case No.106/2015 is hereby withdrawn from the file of Additional Sessions Judge, Kashmore and is made over to learned Sessions Judge, Kashmore @ Kandhkot. The learned

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Sessions Judge, Kashmore @ Kandhkot may try the case himself or may assign it to any other presiding officer having same jurisdiction before 21.12.2017 when the case is fixed for recording of evidence of the prosecution witnesses. Complainant present is directed to produce his witnesses before the court of learned Sessions Judge, Kashmore @ Kandhkot for the aforementioned date. In case the complainant fails to appear and produce his witnesses and record his evidence before the trial court on 21.12.2017, the applicant shall be at liberty to repeat his fresh bail application before trial court.

In view of above, instant bail application as well as transfer application are hereby disposed of along with listed application. Let copy of order be faxed to learned Sessions Judge, Kashmore @ Kandhkot for compliance.

  
Judge  
on 21/12/2017

Ariful Salam/P.A