

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

Cr.Bail.Appl.No.D- 27 of 2017

---

DATE	ORDER WITH SIGNATURE OF JUDGE
------	-------------------------------

---

20.09.2017.

Mr. Muhammad Hashim Leghari, Advocate for applicant.  
M/s Fakhuruddin Dehraj and Muhammad Nadeem Tagar,  
Advocates for complainant.

Mr. Shahzado Saleem Nahiyoon, D.P.G. for the State.

=

Through captioned bail application, applicant seeks post arrest bail in crime No.10/2017 u/s 324, 386, 387, 114, 337-H(ii) PPC and Section 6/7 of ATA, 1997 registered at P.S. Jhudo.

Precisely, relevant facts of the prosecution case are that complainant lodged FIR, contending therein that he is Hawker whereas his brother is starter on A.C. Coach Terminal (Adda), Jhudo town; both were present there when at 11-00 a.m. accused Mumtaz Ali Khoso armed with Kalanshkov, Sajjid alias Mitho, Hammad Tabbasum and Jeevan armed with pistols came there and on show of force they demanded extortion money (bhatta). On the refusal, all the accused persons made straight fires upon the complainant party; fire of accused Sajjad hit to the brother of complainant Muhammad Sulleman who received injury on his leg.

Learned counsel for the applicant contends that applicant is in custody since eight months, yet the case is not proceeded; applicant has been implicated with malafide intention due to rivalry between the transporters; injury as alleged is in fact self suffered however same is not on the vital part of the body.

Learned D.P.G. as well as counsel for the complaint contends that this is a case of terrorism hence the applicant is not entitled for grant of bail.

Perusal of the FIR and the police papers show that apparently the dispute is between the transporters; injury caused to the witness is not on the vital part; applicant is in custody since eight months; plea of the applicant that he has been implicated with malafide intention and ulterior motives by the rival transporter group requires further probe hence the applicant is admitted to post arrest bail subject to his furnishing solvent surety in the sum of Rs.50,000/- (Fifty thousand) and P.R. Bond in the like amount to the satisfaction of the trial court.

JUDGE

JUDGE

Tufail