

information report that his injured brother Sajid (now deceased) has informed him that the applicant and Siraj made a straight fire with the pistol upon him when he was going towards Lasi Goth. This statement of the deceased came on the record through the mouth of the complainant is sufficient to connect the applicant with the alleged incident.

- c) Although it is forcefully argued regarding some defects during investigation in respect of the collection of some material evidence like recovery of crime weapon and detail of rickshaw as well as non-collection of blood stained earth but it will not improve the case in favour of defence up to that extent that the applicant may be admitted to bail.
- d) As far as the statement of doctor, who has firstly attended the deceased is concerned, the same falls under the deeper appreciation of evidence besides it does not amounting to exonerate the applicant, especially when motive is described within the body of F.I.R.
- e) In the instant matter, bail plea of the co-accused Siraj has already been declined by this Court vide order dated 5-10-2018 in the case of the applicant is at par to the co-accused, whose bail was declined.
- f) As far as trial is concerned, nearly all the witnesses have been examined except medicolegal officer and the investigation officer, hence the case is that the verge of conclusion.

3. In view of the above, I am of considered opinion that a case of bail has not been made out in favour of the applicant, as such the instant bail application is declined.

4. These are the reasons for my short order dated 31-07-2019 and I would like to make it clear that the above observations are purely tentative in nature, and the same is only meant for the purpose of disposal of instant bail application and would have no bearing on either party's case during trial.

J U D G E

Dated: _____