

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

Cr.B.A.No.S-357 of 2019

DATE	ORDER WITH SIGNATURE OF JUDGE
	For orders on office objection. For hearing of main case.

05.08.2018.

Mr. Muhammad Essa Behan, Advocate for applicants.
Ms. Safa Hisbani, A.P.G for the State.
Ms. Bibi Naheed Qureshi, Advocate for the complainant.

====

Irshad Ali Shah J:- It is alleged that the applicants with rest of the culprits in furtherance of their common intention caused hatchet blows to PW Muhammad Khan with intention to commit his murder and then went away by insulting the complainant party, for that, present case was registered.

2. The applicants on having been refused post arrest bail by learned Additional Sessions Judge, Hala has sought for the same from this court by way of instant application u/s 497 Cr.P.C.

3. It is contended by learned counsel for the applicants that the applicants being innocent have been involved in this case falsely by the complainant party in order to satisfy their matrimonial dispute with them; there is delay of two days in lodgment of FIR and no injury to the injured is attributed to the applicants specifically. By contending so, he sought for release of the applicants on bail on the point of further inquiry.

4. Learned counsel for the complainant has recorded no objection to the grant of bail to the applicants, while learned A.P.G. for the State has opposed to the grant of bail to the applicants by contending that they have actively participated in the commission of incident.

5. I have considered the above arguments and perused the record.

6. The FIR of the incident has been lodged with delay of about two days; such delay has not been explained plausibly. No injury to the injured is attributed to the applicants specifically. Parties are already disputed over matrimonial affairs. Leaned counsel for the complainant has recorded no objection to the grant of bail to the applicants. In these circumstances, guilt of the applicants are found entitled to be released on bail on point of further inquiry.

7. In view of the facts and reasons discussed above, the applicants are admitted to bail subject to their furnishing solvent surety in the sum Rs.50,000/-(rupees fifty thousand) each and PR bond in the like amount, to the satisfaction of the learned trial Court.

The instant bail application is disposed of accordingly.

JUDGE.