

ORDER SHEET
**IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD**
Criminal Bail Application No.S-1066 of 2020

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

02.03.2021.

Mr. Aslam P. Sipio, Advocate for applicants.
Ms. Sobia Bhatti, A.P.G for the State.
Mr. Abdul Salam Chandio, Advocate for complainant.

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ORDER

Irshad Ali Shah J:- It is alleged that the applicants with rest of the culprits after having formed an unlawful assembly and in prosecution of their common object not only committed murder of Abdul Razaq and Ghulam Murtaza by causing them hatchets injuries, but caused lathies and hatchets injuries to PWs Sadam Hussain, Zameer Hussain and Ghulam Shabeer with intention to commit their murder, for that the present case was registered.

2. The applicants on having been refused post arrest bail by learned IIIrd Additional Sessions Judge, Hyderabad have sought for the same from this Court by way of making 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 on account of its dispute with

them over landed property; the FIR of the incident has been lodged with delay of about one day; no effective role in commission of incident is attributed to the applicants and co-accused Jan Muhammad, Umaid Ali and Ali Nawaz have already been admitted to bail by this Court. By contending so, he sought for post-arrest bail for the applicants on point of consistency and further enquiry.

4. Learned A.P.G for the State and learned counsel for the complainant have opposed to grant of the post arrest bail to the applicants by contending that they are vicariously involved in 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 one day. The role attributed to the applicants in commission of incident is only to the extent of their presence. Co-accused Jan Muhammad, Umaid Ali and Ali Nawaz have already been admitted to bail by this Court. In that situation, it is rightly being contended by learned counsel for the applicants that they are entitled to be released on bail on point of consistency and further enquiry.

7. In view of above, the applicants are admitted to bail subject to their furnishing surety in the sum of Rs.200,000/-each

and PR bond in the like amount to the satisfaction of learned trial Court.

8. The instant bail application is disposed of accordingly.

JUDGE

Ahmed/Pa