

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

Criminal Bail Application No.S-420 of 2021  
Criminal Bail Application No.S-440 of 2021

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DATE

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ORDER WITH SIGNATURE OF JUDGE

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**05.07.2021.**

MianTaj Muhammad Keerio, Advocate for applicants.  
Mr. Shahid Ahmed Shaikh, Addl.P.G for State.

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**Irshad Ali Shah J.-** It is alleged that the applicants with rest of the culprit in furtherance of their common intention attempted to commit sodomy with PW Shahbaz Shah alias Jahangir, for that the present case was registered.

2. The applicants on having been refused post-arrest bail by learned Additional Sessions Judge-I, Tando Adam have sought for the same from this Court by preferring instant applications under section 497 Cr.P.C separately.

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; the FIR has been lodged with delay of about (07) days and the applicants are in custody since the date of their arrest without effective trial, therefore, they are entitled to be released on bail on point of further inquiry.

4. Learned Additional Prosecutor General for the State has opposed to grant of post-arrest bail to the applicants by contending

that the offence alleged against them is affecting the society at large.

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

6. The complainant Mst. Sakina is not an eye witness of the incident. The FIR of the incident has been lodged with delay of about seven (07) days; such delay having not been explained plausibly could not be overlooked. No sodomy has taken place. In these circumstances, a case for grant of bail to the applicants on point of further inquiry obviously is made out.

7. In view of above, the applicants are admitted to post arrest bail subject to their furnishing solvent surety in the sum of Rs.50,000/- each and P.R bonds in the like amount to the satisfaction of learned trial court.

8. The instant bail applications are disposed of accordingly.

JUDGE

Muhammad Danish Steno.