

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

Criminal Bail Application No.S-470 of 2021

DATE	ORDER WITH SIGNATURE OF JUDGE
	1. For orders on office objections.
	2. For hearing of main case.

**16.07.2021.**

Mr. Muamar Ali Bhutto, Advocate for the applicant.

Ms. Sobia Bhatti, A.P.G for State.

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**Irshad Ali Shah J.-** It is alleged that the applicant with rest of the culprits by committing trespass into house of complainant Muhammad Ismail, caused fire shot injury to him on his left arm with intention to commit his murder and then went away by making aerial firing to create harassment and insulting the complainant party, for that the present case was registered.

2. The applicant, on having been refused post-arrest bail by learned Additional Sessions Judge-IV, Dadu, has sought for the same from this Court by way of instant bail application u/s: 497 Cr.PC.

3. It is contended by the learned counsel for the applicant that the applicant being innocent has been involved in this case falsely by the complainant party in order to satisfy its dispute with him over matrimonial affairs; the injury is on non-vital part of the body of the complainant and no fire shot was repeated. By contending so, he sought for release of the applicant on bail on point of further inquiry.

4. Learned A.P.G for the State has opposed to release of the applicant on bail by contending that specific role of causing fire shot injury to the complainant is attributed to him.

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

6. Initially N.C was recorded in Roznamcha; it does not contain the name of the applicant. The F.I.R of the incident has been lodged by the complainant with delay of about 11 hours; such delay could not be overlooked. The injury sustained by the complainant is on non-vital part of his body. No fire shot was repeated at the complainant. It was the night time incident; therefore, the identity of the applicant under the light of bulb was a weak piece of evidence. Co-accused Mubeen and three others have already been admitted to bail by learned Trial Court. The parties are already disputed over matrimonial affairs. In these circumstances, a case for grant of post-arrest bail to the applicant on point of further inquiry obviously is made out.

7. In view of above, the applicant is admitted to post arrest bail subject to his furnishing solvent surety in the sum of Rs.50,000/- and P.R bond in the like amount to the satisfaction of learned trial Court.

8. The instant bail application is disposed of accordingly.

**J U D G E**

Muhammad Danish Steno\*