

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

Criminal Bail Application No.S-552 of 2021

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

16.07.2021.

Mr. Farooque Ali Jakhrani, Advocate for applicant.
Ms. Rameshan Oad, A.P.G for the State.

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Irshad Ali Shah J; It is alleged that the applicant with rest of the culprits, robbed complainant Ahmed and his witnesses of their cash and other belongings as are detailed in F.I.R by causing them fire shot and butt blows, for that the present case was registered.

2. The applicant on having been refused post arrest bail by learned Sessions Judge, Umerkot has sought for the same from this Court by way of making application u/s: 497 Cr.P.C.

3. It is contended by learned counsel for the applicant that the applicant being innocent has been involved in this case falsely by the police, otherwise his name is not appearing in F.I.R and his case is not proceeding expeditiously, therefore, the applicant is entitled to his release on bail on point of further enquiry.

4. Learned A.P.G. for the State has opposed to release of the applicant on bail by contending that he is hardened criminal of the area; on arrest he has been subjected to identification parade before Magistrate through the complainant and his witnesses and

from him has been secured the robbed mobile phone and rupees three thousand.

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

6. No doubt the name of the applicant is not appearing in FIR but there could be made no denial to the fact that it was disclosed during course of investigation. On arrest, the applicant has been subjected to identification parade before a Magistrate through the complainant and his witnesses during course whereof they have *prima facie* implicated him in commission of incident. On arrest from him has been secured the robbed mobile phone and cash worth rupees three thousand and as per learned A.P.G he is having a criminal record. In that situation, it would be premature to say that the applicant being innocent has been involved in this case falsely by the police. There appear reasonable grounds to believe that the applicant is guilty of the offence with which he is charged.

7. In view of the facts and reasons discussed above, it could be concluded safely that the applicant is not found entitled to be released on bail. Consequently, his bail application is dismissed with direction to learned trial Court to expedite disposal of the case of the applicant preferably within three months after receipt of copy of this order.

JUDGE