

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

Criminal Bail Application No.S-485 of 2021

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

19.07.2021.

Mr. Manzoor Ali Laghari, Advocate for the applicant.
Ms. Sana Memon, A.P.G for State.

==

Irshad Ali Shah J.- It is alleged that the applicant purchased 10 motorcycles from complainant Aamir Khan by practicing fraud but failed to make full payment whereof and then threatened the complainant and his witnesses of murder when they went him to have his money from him, for that the present case was registered.

2. The applicant, on having been refused post-arrest bail by learned Additional Sessions Judge-I, 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 in order to satisfy his dispute with him over settlement of Accounts on sell of motorcycles; the F.I.R has been lodged with delay of about 01 day and offence alleged against the applicant is not falling within prohibitory clause of section 497(2) Cr.P.C, therefore, the applicant is entitled to his release 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 he has deprived the complainant of his money by practicing fraud.

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

6. The F.I.R of the incident has been lodged with delay of about 01 day; such delay having not been explained plausibly could not be overlooked. All the penal sections applied in the F.I.R; are bailable except one section 506(2) P.P.C, which is not falling within prohibitory clause of section 497 (2) Cr.P.C. Parties are disputed over settlement of Accounts on sell of motorcycles. 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.25,000/- and P.R bond in the like amount to the satisfaction of Additional Registrar of this Court.

8. The instant bail application is disposed of accordingly.

J U D G E

*Muhammad Danish Steno**