

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

Criminal Bail Application No.S-431 of 2021

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

**26.07.2021.**

Mr. Fawwad Naeem Arain, Advocate for applicant.  
Ms. Sobia Bhatti, 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 in furtherance of their common intention attempted to commit unnatural offence with PW Shahbaz Shah alias Jahangir, for that the present case was registered.

2. The applicant on having been refused post-arrest bail by learned Additional Sessions Judge-I, Tando Adam has sought for the same from this Court by preferring instant application under section 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 complainant; the FIR has been lodged with delay of about (07) days and co-accused Nand Lal and another have already been admitted to bail by this Court, therefore, the applicant is entitled to be released on bail on point of further inquiry and consistency.

4. Learned Assistant Prosecutor General for the State has recorded no objection to release of the applicant on bail.

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 kept outside of the sight. No sodomy has taken place. Co-accused Nand Lal and another with utmost similar role have already been admitted to bail by this Court, therefore, the applicant is found entitled to his release on bail on point of further inquiry and consistency.

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.

JUDGE

Muhammad Danish Steno.