

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

Criminal Bail Application No.S-247 of 2022

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

25.04.2022

Mr. Muhammad Tariq Brohi, Advocate for applicant.
Ms. Safa Hisbani, Assistant Prosecutor General, Sindh.
Syed Muhammad Ali Shah, Advocate for the complainant.

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Irshad Ali Shah J.- It is alleged that the applicant with rest of the culprits after having formed an unlawful assembly and in prosecution of their common object attempted to commit murder of complainant Kazim Ali by inflicting him hatchet blow, which eventually hit to his wife Mst. Hajran on her right little finger when she came to save him and then went away by abusing and causing fists, kicks and hatchet blows with its backside to the complainant and PW Mst. Ijazat Zahra, for that the present case was registered.

2. The applicant on having been refused post-arrest bail by learned Sessions Judge, Badin has sought for the same from this Court by making 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 in order to satisfy his dispute with him over landed property, therefore, he is entitled to be released on bail on point of further inquiry.

4. Learned Assistant Prosecutor General for the State and learned counsel for the complainant have opposed to release of the applicant

on bail by contending that he has actively participated in commission of incident by causing hatchet blow to PW Mst. Hajran.

5. Heard arguments and perused the record.

6. The hatchet injury was attempted to be caused to the complainant with intention to commit his murder, it hit to his wife Mst. Hajran on her right little finger when she came to save him, which appears to be significant. Be that as it may, the injury sustained by PW Mst. Hajran is not on vital part of her body. The parties are already disputed over landed property. The case has finally been challaned and there is no apprehension of tampering with the evidence on the part of the applicant. In these circumstances, a case for release of the applicant on bail on point of further inquiry obviously is made out.

7. In view of above, the applicant is admitted to post arrest bail subject to furnishing 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*