

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

Criminal Bail Application No.S-284 of 2022

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

29.04.2022

Mr. Ahmed Nawaz Chang, Advocate for applicant.
Ms. Sana Memon, Assistant Prosecutor General, Sindh.
Complainant Gul Bahar is present in person.
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Irshad Ali Shah J:- It is alleged that the applicant with the rest of the culprits in furtherance of their common object on show of weapons abducted Mst. Zohra the sister of complainant Gul Bahar with intention to subject her to rape, for that the present case was registered.

2. The applicant on having been refused post arrest bail by learned Additional Sessions Judge, Sehwan has sought for the same from this Court by making instant 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 complainant party; the FIR has been lodged with delay of about 28 days, therefore, the applicant is entitled to grant of bail on point of further inquiry.

4. Learned A.P.G for the State, who is assisted by the complainant has opposed to grant of bail to the applicant by contending that he has actively participated in commission of incident and abductee has yet not been recovered.

5. Heard arguments and perused the record.

6. The applicant is named in FIR with specific allegation that he with rest of the culprits in furtherance of their common intention by committing trespass into house of the complainant abducted his sister Mst. Zohra with intention to subject her to rape, she has yet not been recovered. In that situation, it would be premature to say that the applicant being innocent has been involved in this case falsely by the complainant party. The delay in lodgment of FIR has been explained plausibly in F.I.R itself same even otherwise could not be resolved by this Court at this stage. The deeper appreciation of facts and circumstances is not permissible at bail stage. There appear reasonable grounds to believe that the applicant is guilty of the offence with which he is charged.

7. In view of above, it could be concluded safely that no case for grant of bail to the applicant is made out, consequently, the instant bail application is dismissed.

JUDGE

*Muhammad Danish**

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Heard. For the reasons to follow, instant bail application is
dismissed.