

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

Criminal Bail Application No.S-112 of 2022

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

28.03.2022

Mr. Pervaiz Tariq Tagar, Advocate for applicant.
Ms. Safa Hisbani, A.P.G for the State.
Syed Shahzad Ali Shah, Advocate for complainant.
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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 intention committed murder of Mst. Shehla Bibi and then caused disappearance of evidence by throwing her dead body in a water course in order to save themselves from legal consequences, for that the present case was registered.

2. The applicant on having been refused post arrest bail by learned Model Criminal Trial Court-I, Hyderabad 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 police; the FIR of the incident has been lodged with delay of about five days and none has seen the applicant committing the alleged incident. By contending so, he sought for release of the applicant on bail on point of further inquiry.

4. Learned counsel for the complainant has recorded no objection to grant of bail to the applicant. However learned Assistant Prosecutor General, Sindh for the State has opposed to grant of bail to the applicant by contending that he has committed the

murder of an innocent lady and then has thrown her dead body in a water course to save him from legal consequences.

5. Heard arguments and perused the record.

6. The FIR of the incident has been lodged with delay of about five days; such delay having not been explained plausibly could not be overlooked. None actually has seen the applicant committing death of the deceased. The dead body of the deceased has been recovered from water course within jurisdiction of P.S. Shahdadpur District Sanghar which appears to be surprising. The complainant by Zahid Ali Shah by filing his affidavit has recorded no objection to grant of bail to the applicant. The case has finally been challaned and there is no apprehension of tempering with the evidence on part of the applicant. In these circumstances, the guilt of the applicant is calling for further inquiry.

7. In view of above, the applicant is admitted to bail subject to his furnishing solvent surety in the sum Rs.200,000/- and PR bond in the like amount, to the satisfaction of the learned trial Court.

8. The instant criminal bail application is disposed of accordingly.

JUDGE

Muhammad Danish*