

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

Criminal Bail Application No.S-44 of 2022

DATE	ORDER WITH SIGNATURE OF JUDGE
	<ol style="list-style-type: none">1. For orders on office objections.2. For hearing of main case.
<u>28.03.2022.</u>	

Mr. Israr Hussain Chang, Advocate for the applicant.
Ms. Safa Hisbani, Assistant Prosecutor General, Sindh.

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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 committed murder of Ajiroz Ali by administering some poisonous substance to him, for that the present case was registered.

2. The applicant, on having been refused post-arrest bail by learned 1st Additional Sessions Judge-I/MCTC Shaheed Benazir Abad, has sought for the same from this Court by way of instant application u/s: 497 Cr.PC.

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 matrimonial dispute with him; the incident initially was reported as an act of suicide and F.I.R has been lodged with delay of about two months, therefore, the applicant is entitled to his release on bail on point of further inquiry.

4. None has appeared on behalf of the complainant despite service of notice. However, learned A.P.G for the State has opposed to release

of the applicant on bail by contending that he has actively participated in commission of incident.

5. Heard arguments and perused the record.

6. The F.I.R of the incident has been lodged with delay of about two months and such delay having not been explained plausibly could not be overlooked. None has actually seen the applicant administering the poisonous substance to the deceased. The parties are already disputed over matrimonial affairs. Co-accused Sadoro and two others have already been admitted to bail by learned Trial Court. 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 his furnishing solvent surety in the sum of Rs.200,000/- 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*