

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Crl. Bail Application No. S -513 of 2022
(Muneer Ahmed son of Haji Bangul Khan Vs. The State)

1. For Orders on office objection.
2. For hearing of bail application.

30-12-2022.

Mr. Qurban Ali Malano, advocate for applicant.
Mr. Shafi Muhammad Mahar, DPG for the State

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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, not only committed murder of Gul Hassan by causing him fire shot injuries, but also caused fire shot injuries to PW Rahib with intention to commit his murder and then went away by making aerial firing to create harassment, for that the present case was registered.

2. The applicant on having been refused post arrest bail by learned III- Additional Sessions Judge, Mirpur Mathelo has sought for the same from this Court by way of instant Crl. Bail 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 old enmity with him and even otherwise no effective role in commission of incident is attributed to him, therefore he is entitled to be released on bail on point of further inquiry.

4. None has come forward to advance arguments on behalf of the complainant. However, learned DPG for the State has recorded no objection to release of the applicant on bail.

5. Heard arguments and perused the record.

6. The FIR of the incident has been lodged with delay of about one day; the role attributed to the applicant in commission of

incident is only to the extent of making aerial firing to create harassment. The case has finally been challaned; there is no apprehension of tempering with the evidence on part of the applicant. The parties are already enimical with each other; therefore the vicarious liability on part of applicant in commission of incident obviously is calling for further inquiry.

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

8. The instant Crl. Bail Application is disposed of accordingly.

Judge

Nasim/P.A