

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Crl. Bail Application No. S-438 of 2023
(*Abdul Hameed Kharos Vs. The State*)

1. For Orders on office objection.
2. For hearing of Bail Application.

27-10-2023.

Syed Zaffar Ali Shah Bukhari, advocate for the applicant.
Mr. Shafi Muhammad Mahar, Deputy P.G for the State

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Irshad Ali Shah, J. It is alleged that the applicant with rest of the culprits robbed the complainant party of its tractor, for that the present case was registered. On refusal of bail by learned IInd Additional Sessions Judge, Khairpur; the applicant has sought for the same from this Court by way of instant Crl. Bail Application under section 497 Cr.P.C.

2. Heard arguments and perused the record.
3. The FIR of the incident has been lodged with delay of more than two months; such delay having not been explained plausibly could not be overlooked. As per FIR the name of the applicant was disclosed by co-accused Fida Hussain, such disclosure could hardly be treated as evidence. No identification parade of the applicant has been conducted. There is no recovery of any sort from the applicant. The case has finally been challaned and there is no likelihood of absconsion or tempering with the evidence on part of the applicant. In these circumstance; a case for release of the applicant on bail, on point of further inquiry obviously is made out.
4. In view of above the applicant is admitted to bail subject to his furnishing solvent surety in sum of Rs.50,000/- (Fifty thousand) and P.R bond in the like amount to the satisfaction of learned trial Court.
5. The instant bail application is disposed of accordingly.

J U D G E