

**ORDER SHEET**

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Crl. Bail Application No.S-907 of 2023

*(Allah Bux @ Allah Dino Vs. The State)*

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1. For Orders on office objection.
2. For Orders on MA No. 7777/2023. (Ex./A)
3. For hearing of Bail Application.

**15-01-2024.**

Mr. Qurban Ali Shar, advocate for the 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 in furtherance of their common intention caused fire shot injuries to PWs Lal Bux and Pervaiz Ahmed with intention to commit their murder and then went away by insulting complainant Ramzan, for that the present case was registered.

2. The applicant, on having been refused post-arrest bail by learned Ist Additional Sessions Judge/(MCTC-I), Sukkur, has sought for the same from this Court by way of instant Crl. Bail 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 in order to satisfy his dispute with him over fish pond; the FIR of the incident has been lodged with delay of about 01 day and co-accused Junaid has already been admitted to bail by learned trial Court; therefore, he is entitled to be admitted to post arrest bail on point of further inquiry.

4. Learned DPG for the State has opposed to release of the applicant on bail by contending that on arrest from him has been secured the pistol which he allegedly used in commission of incident and his case is distinguishable to case of co-accused Junaid, who was minor.

5. Heard arguments and perused the record.

6. The applicant is named in FIR with specific allegation that he caused fire shot injury to PW Lal Bux with intention to commit his murder, which hit to him on his right side of abdomen. On arrest from the applicant, has been secured the pistol, which he allegedly used in commission of incident, it has been found matched with the empty secured from the place of incident. 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 only to satisfy with him its dispute over fish pond. The delay in lodgment of the FIR is explained in FIR itself, same even otherwise could not be resolved by this Court at this stage. The co-accused Junaid was minor and fire shot injury which was attributed to him, which he allegedly caused to PW Pervaiz Ahmed was on his foot, which was non-vital part of his body. There appear reasonable grounds to believe that the applicant is guilty of the offence with which he is charged and no case for his release on bail on point of further inquiry is made out.

7. In view of above, the instant bail application is dismissed together with listed application.

**Judge**

