

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH BENCH AT SUKKUR**  
Crl. Bail Application No. S -768 of 2023  
(*Sajjad Ali Phariro` Vs. The State*)

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For hearing of bail application.

**12-02-2024.**

Mr. Ajeebullah Junejo advocate for the applicant.  
Mr. Aftab Ahmed Shar, Additional P.G for the State.  
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**Irshad Ali Shah, J;-** It case of the prosecution that the applicant with rest of the culprits after having formed an unlawful assembly and in prosecution of its common object, have committed murder of Raja by causing him hatchet and dagger blows on account of his failure to pay them *Bhatta*, for that the present case was registered.

2. The applicant on having been refused post arrest bail by learned Additional Sessions Judge, Kandiaro 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 and his case is not proceeding since long; therefore, he is entitled to be released on bail on point of hardship, which is opposed by learned APG for the State by contending that earlier bail application of the applicant has been dismissed by this Court on merits and no case for release of the applicant on bail on point of hardship is made out as he is defeating the disposal of the case effectively for one or other reason.

4. Heard arguments and perused the record.
5. As per FIR, the applicant has actively participated in commission of incident by causing hatchet blow to the deceased. 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. As per progress report, nine out of ten witnesses have been examined, which prima-facie suggests if active cooperation is extended by the applicant and his co-accused, then the very case could be disposed of in shortest possible time. No case for release of the applicant on bail on point of hardship is made out.

Consequent upon above discussion, the instant Bail Application is dismissed.

Judge