

ORDER SHEET

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Crl. Bail Application No. S- 97 of 2024

(*Zakir Hussain Maitlo Vs. The State*)

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

26-03-2024.

Mir Ali Nawaz Khan, advocate for the applicant.
Mr. Saeed Ahmed Bhatt, advocate for the complainant.
Syed Sardar Ali Shah Rizvi, Additional P.G 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 committed murder of Attaullah by causing him injuries with some hard and blunt substance and then buried his dead body in their house in order to cause disappearance of evidence to save themselves from legal consequences, for that the present case was registered.

- 2. The applicant on having been refused bail by learned IVth Additional Sessions Judge Khairpur; 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 by the complainant party by way of further statement and co-accused Hakim with similar role has already been admitted to bail by this Court; therefore, the applicant is entitled to be admitted to bail on point of further inquiry and consistency, which is not opposed by learned Additional P.G for the State and learned counsel for the complainant provided learned trial Court is directed to expedite disposal of very case.
- 4. Heard arguments and perused the record.

5. The FIR of the incident has been lodged with delay of about 07 months, yet it does not contain the name of the applicant, it was disclosed subsequently by the complainant by way of further statement; further statement if any could hardly be treated as part of the FIR. None has seen the applicant committing the actual death of the deceased. The dead body of the deceased has been recovered on pointation of co-accused Ilim Din. Co-accused Hakim with similar role has already been admitted to bail by this Court. The case has finally been challaned and there is no likelihood of absconsion or tampering with the evidence on the part of the applicant. In these circumstance; a case for release of the applicant on bail, on point of further inquiry and consistency obviously is made out.

6. In view of above the applicant is admitted to bail subject to his furnishing solvent surety in sum of Rs.200,000/- (two lacs) and P.R bond in the like amount to the satisfaction of learned trial Court with direction to learned trial Court to expedite the disposal of very case preferably within three months after receipt of copy of this order.

7. The instant bail application is disposed of accordingly.

Judge

Nasim/P.A