

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD

Criminal Bail Application No.S-368 of 2021.

DATE	ORDER WITH SIGNATURE OF JUDGE
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	For orders on office objections. For hearing of main case.
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29.10.2021.

Mr. Shahzad Ali Shah advocate holds brief on behalf of Mr. Wali Muhammad Khoso, advocate for the applicants.
Mr. Badaruddin Khoso, advocate alongwith complainant.
Ms. Sobia Bhatti, Assistant Prosecutor General.
Applicants are present on interim pre-arrest bail.

ORDER

MUHAMMAD IQBAL KALHORO, J:- It is alleged in FIR that applicants on instigation of their father caused firearm injuries to PWs Wazeer Ali, Kashan and Daro on 15.02.2021 at 2245 hours in front of their house in village Tando Yousif on account of dispute. Narration of FIR is supported by Medico-Legal Certificates which show that all the PWs have sustained multiple firearm injuries.

Learned defence counsel is not present and on his behalf Syed Shahzad Ali Shah is holding brief who has declined to argue the case, as such I have heard the applicants in person. They submit that they have falsely been implicated in this case on account of previous enmity.

Learned counsel for complainant and learned APG have opposed grant of bail to the applicants stating that they are nominated in the FIR with specific role of causing firearm injuries to the victim which is supported by medical evidence.

I have considered submissions of parties and perused material available on record. Applicants are assigned specific role of causing firearm injuries to the victims which is supported by medical record showing that they having received multiple firearm injuries. There is nothing to show that out of any malafide applicants have been implicated in this case by the complainant to consider them entitled to extra-ordinary concession of pre-arrest bail. It is also stated that the applicants have not joined the investigation and leading to non-recovery of incriminating material from them. In presence of such record and direct evidence against them

supported by medical record, I am of the view that applicants are not entitled to the concession of pre-arrest bail. Accordingly, this bail application is dismissed and ad-interim pre-arrest bail granted to the applicants vide order 06.05.2021 is hereby recalled.

The observations made hereinabove are tentative in nature and shall not influence the trial court while deciding the case on merits.

JUDGE

Irfan Ali