

ORDER SHEET

THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANO

Cr. Bail Appln. No. S-756 of 2024

Date	Orders with signature of Judge
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1. For order on office objection.
2. For hearing of main case.

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10-03-2025

Mr. Rafique Ahmed K. Abro, advocate for the applicant

Mr. Aitbar Ali Bullo, D.P.G for the State

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Mr. Safdar Ali Ghouri, advocate files vakalatnama on behalf of the complainant.

Heard arguments of learned counsel for the parties. Reserved for orders.



Judge

Abdul Salam/P.A ****

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA

1st Criminal Bail No.S-756 of 2024

Amanullah Tunio

V/S

The State

Applicant:

Amanullah son of Peeral Tunio
Through Mr. Rafique Ahmed K. Abro,
Advocate.

State:

Through Mr. Aitbar Ali Bullo, Deputy
Prosecutor General, Sindh.

Date of Hearing:

10.03.2025

Date of Decision:

19.03.2025

ORDER

Omar Sial, J.- Amanullah seeks post-arrest bail in crime number 69 of 2024 registered under sections 324, 337-A(i), 148, 149, 324, 337-D, 337-F(iii), 337-A(ii), 148 and 149 P.P.C. at the Rehmatpur police station.

2. The F.I.R. was registered on 01.07.2024 on the complaint of Ghulam Mohammad Abbasi. Abbasi recorded that two months earlier his brother Ali Raza and Zakir Tunio had an exchange of harsh words. On 30.06.2024, the complainant, along with his brothers Ali Raza and Bilawal, and friend Sajid Hussain, were sitting at a sugarcane juice vendor's shop when five persons on two motorcycles came there. Two were identified as Zakir and Amanullah while three remained unidentified. Amanullah fired at Ali Raza and one of the unidentified accused also shot at Ali Raza. Both fires hit Ali Raza who fell to the ground. Despite pleas of mercy from the complainant party, Zakir again shot at Ali Raza while the unidentified accused hit him.

3. I have heard the learned counsels for the applicant, the complainant, and the learned Additional Prosecutor General. My observations and findings are as follows.

4. Upon a tentative assessment, what I find remarkable about this case is that though the incident occurred on 30.06.2024, the injured did not record any statement with the police till 05.10.2024. Upon a query, learned counsel for the complainant submitted that the injured person was not in such a state to record a statement as he was admitted in the hospital. I find this argument

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completely unsatisfactory. The record reflects that the injured party was in a fit enough condition to ostensibly go to the doctor when injured but did not return for further tests as ordered by the doctor. To be fair to the complainant, he was allowed to produce the medical record of the injured to show his admission to the hospital or a certificate to show that he was not able to record his statement for nearly four months. The complainant failed to do so, instead attempted to change his counsel. This fact alone makes the case against the applicant one of further inquiry.

5. Given the above, the applicant is admitted to bail against a surety of Rs. 50,000 and a P.R. Bond for the same amount to the satisfaction of the learned trial court.

OS 19/3/25
JUDGE

Manzoor