

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA
2nd Crl. Bail Appln. No.S-266 of 2023
Crl. Bail Appln. No.S-310 of 2023

Date of
Hearing
04.12.2023.

ORDER WITH SIGNATURE OF JUDGE

1. For orders on office objection.
2. For hearing of Bail Application.

Mr. Ali Azhar Tunio, Advocate for the applicant in Cr.B.A. No.S-266/2023.
Mr. Ashfaque Hussain Abro, advocate for the applicant in Cr.B.A. No.S-310/23
Mr. Ali Anwar Kandhro, Addl. P.G.

Per progress report submitted by the trial Court/ Additional Sessions Judge-I, Dadu, the charge against the accused was framed on 22.02.2023 and on 02.11.2023 examination-in-chief of two prosecution witnesses, namely, complainant Muhammad Nawaz Shahani and Ali Asghar Shahani was recorded; however, at the request of Counsel for the accused cross-examination of both these witnesses was not conducted.

Since the trial has commenced and in such eventuality bail, particularly in a heinous crime cannot be granted frequently. Mr. Ali Azhar Tunio, learned Counsel submits that applicant Ghulam Rasool has been suffering from some diseases inside the jail; however, he is not being treated or provided medical facility, therefore, he has sought bail on medical ground. The diseases as disclosed seem not to be serious or detrimental to the life of accused, therefore, the jail authorities are directed to refer applicant Ghulam Rasool to the medical officer of the concerned prison and provide him proper medical treatment under intimation to this court. Mr. Tunio further submits that applicant Ghulam Rasool is also suffering from Cardiovascular disease and per suggestion of the doctor concerned he was to be referred to NICVD or other Center having close distance, but the jail authorities have not produced him. Learned Addl. P.G. submits that this job can be done by the trial Court, therefore, the

applicant may file appropriate application before the trial Court and upon receipt of such application the trial Court shall issue appropriate directions.

As far as applications are concerned, in view of the progress report submitted by the trial Court, both the bail applications are disposed of with direction to the trial Court to conclude the trial within four months' time under intimation to this Court. In case the prosecution fails to procure the attendance of its witnesses and trial may not concluded with the prescribed time, then the applicants shall be at liberty to file fresh bail application(s) before the trial Court, which shall be decided independently on their own merits, strictly in accordance with law.


JUDGE