

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

Cr. Bail Appl. No.S-533 of 2014

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For order on office objections.
2. For hearing.

08.09.2014.

Mr. Mukhtiar Ahmed Khanzada Advocate for the applicant
Mr. Shahid Ahmed Shaikh Assistant P.G.

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Applicant/accused is involved in Crime No.47/2013 of P.S. A Section Nawabshah U/S 324, 337 F(iii), H(ii), 337-D, 147,148 PPC. The FIR was registered on 27.03.2013 and the applicant was arrested on 23.12.2013 i.e. after more than 08 months.

I have heard learned counsel for the parties and perused the record.

Learned Assistant P.G has read the FIR and inform the court that only role assigned to the applicant is that alongwith co-accused present applicant made aerial firing. He, therefore, half heartedly opposed this bail application.

Perusal of record reflects that though the applicant is nominated in the FIR but the role assigned to him is only of aerial firing, despite fact that the accused was arrested, interrogated and ultimately sent to judicial custody, till date, recovery of alleged weapon has not been shown from the applicant/accused; the enmity between the parties is admitted in the FIR, which has been lodged with delay of two days without any plausible

explanation, the police has even failed to recover the weapon allegedly used by the accused in aerial firing, therefore, prima-facie the case of the applicant requires further inquiry as envisaged U/S 497(2) Cr.P.C.

In view of the above circumstances, I am of the view that the applicant has succeeded to make case for grant of bail. Accordingly, applicant is admitted to bail subject to furnishing solvent surety in the sum of Rs.50,000/- and P.R bond in the like amount to the satisfaction of the trial court.

JUDGE

A.K