

ORDER SHEET IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Crl. Bail Application No. S-129 of 2023
(*Ghulam Rasool Noriyo Vs. The State*)

1. For Orders on office objection.
2. For Orders on MA No. 1302/2023 (Ex./A)
3. For hearing of Bail Application.

30-10-2023.

Mr. Anwar Ali Lohar, advocate for the applicant.
Complainant Abdul Ghafoor in person.
Mr. Khalil Ahmed Maitlo, Deputy P.G for the State
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Irshad Ali Shah, J. It is alleged that the applicant with rest of the culprits committed murder of Shahid Hussain by causing him fire shot injury, for that the present case was registered. On refusal of bail by learned Additional Sessions Judge (MCTC) Ubauro; the applicant has sought for the same from this Court by way of instant Crl. Bail Application under section 497 Cr.P.C.

2. It is contended by learned counsel for the applicant that the applicant being innocent has been involved in this case falsely by the complainant party on the basis of vicarious liability; therefore, he is entitled to be released on bail on point of further inquiry, which is opposed by learned DPG for the State, who is assisted by the complainant by contending that the case is ripe for evidence.

3. Heard arguments and perused the record.

4. The FIR of the incident has been lodged with delay of about 03 days and role attributed to the applicant in commission of incident only to the extent of his presence; the parties are disputed over matrimonial affairs; the case has finally been challaned and there is no likelihood of absconsion or tempering with the evidence on part of the applicant. In these circumstance; a case for release of the applicant on bail, on point of further inquiry obviously is made out.

4. 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.

5. The instant bail application is disposed of accordingly.

JUDGE

Nasim/P.A