

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

Criminal Bail Application No.S-399 of 2022.

DATE	ORDER WITH SIGNATURE OF JUDGE
-------------	--------------------------------------

For orders on office objection.
For hearing of main case.

09.09.2022.

Mr. Ali Murtaza Babar advocate for the applicant.
Ms. Sana Memon, Assistant Prosecutor General, Sindh.
Mr. Sajjad Ali Gopang advocate files power on behalf of complainant.
Applicants are present on ad-interim pre-arrest bail.

ORDER

MUHAMMAD IQBAL KALHORO, J:- On account of previous enmity, applicants, armed with guns and clubs/dandas, accosted complainant party, present on their lands situated in deh Rajro Dero on 27.04.2022 at 1100 hours, and on instigation of applicant Sulleman armed with a gun, applicant Aslam caused severe Danda blow to right arm of complainant causing fracture and dislocation, an injury opined as 337-F(vi) PPC punishable for seven years. Against accused Mehar only general allegations have been leveled.

Learned APG has given no objection to confirmation of bail to applicant Sulleman and Mehar as their case requires further inquiry and no specific role is attributed to them. Learned defence counsel has however pleaded for confirmation of bail to all accused which has been seriously opposed by learned counsel for complainant.

Role of applicant Aslam is supported by medical evidence as well as statement of witnesses under Section 161 CrPC. There is no trace of malafide available on record as far as his role is concerned, on the part of complainant, whereas against remaining applicants only general allegations are leveled without any specific part attributed to them. Accordingly in view of above, and no objection of learned Assistant Prosecutor General, this bail application to the extent of applicant Sulleman and Mehar is allowed and ad-interim pre-arrest bail granted to them vide order

03.06.2022 is hereby confirmed on the same terms and conditions. Whereas the bail application to the extent of applicant Aslam is dismissed and ad-interim pre-arrest bail granted to him vide abovementioned order 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