

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

Cr.Bail.Appl.No.S- 1120 of 2013

DATE	ORDER WITH SIGNATURE OF JUDGE
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01.11.2016.

Mr. Muhammad Sulleman Dahri, Advocate for applicant.
Syed Meeral Shah, D.P.G. for the State a/w ASI Abdul Ghani PS Bulri Shah
Kareem.

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Through instant application, applicant seeks post arrest bail in Crime
No.26/2013 registered at P.S. Bulri Shah Karim u/s 302, 201PPC. Relevant facts
are that:-

“It is alleged that the complainant’s daughter namely Shrimati Shugna got married with one Bekhari @ Pappu and had two sons. On 25.04.2013 at 06-15 PM, he was at home. Suddenly, he heard cries and his brother Sangram told him that his daughter Shugna has been murdered. On receiving such information, he, brother Sangram and others went to her house. They reached there and got information that Ramsin Kolhi took the dead body to the Government Hospital Bulri Shah Karim. Thereafter, they went to the hospital and saw his daughter Shugna’s dead body was lying there and also saw that on her body there were injuries of lathies and large peg blows. They recorded such video. Her daughter’s husband and his paternal uncle Fakiri, with their common intention tried to cover the murder of her daughter, went to PS and reported that Shugna had committed suicide. Thereafter, they took the dead body to their home and got busy in the funeral ceremony. Thereafter, they got the postmortem report. Ramsin told them that on 25.04.2013 at about 06-15 PM, he heard cries. He went and saw that Bekhari having large peg in his hand and Fakiri having lathi in his hand were beating his daughter. His daughter became unconscious. Accused saw him and run away. Thereafter, accused issued hearsay that Shugna has committed suicide but fact was that she has been murdered by them by

causing large peg and lathi blows, for which this case was registered.”

2. At the outset, learned counsel for the applicant *inter alia* contends that applicant is in jail since three years on account of charge; that he caused lathi injuries to his wife resultantly she died. Whereas postmortem certificate negates the ocular version.

3. In contra, learned D.P.G. contends that since the postmortem report shows both reasons hanging or strangulation and one of the reason can be, therefore, the applicant is not entitled for bail.

4. Heard learned counsel for the parties as well perused the record.

5. Admittedly, FIR says that complainant alongwith witness when reached at the house of deceased, came to know that one Ramsin has shifted the dead body of lady Shugna to the hospital hence *first* it was an *unseen* incident, however, later they (complainant party) reached there and after funeral proceedings; came to know that applicant, having stick in pointed shape, and accused Fakiri with lathi, were causing blows to the deceased who having received injuries became unconscious. Such story was *introduced* later to report of committing suicide which *even* otherwise is completely belied by the Medical Officer hence this is a case of further inquiry. Besides, the applicant / accused has been in continuous confinement for a period more than two years i.e *statutory* one which also advances the case of the applicant / accused for his release on bail, pending determination of his *guilt*.

Accordingly, applicant is admitted to post arrest bail subject to his furnishing solvent surety in the sum of Rs.100,000/- (Rupees one lac) and P.R. Bond in the like amount to the satisfaction of the trial Court.

JUDGE

