

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD
Criminal Bail Application No.S-899 of 2020

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders on office objection.
For hearing of main case.

07.12.2020.

Mr. Altaf Hussain Chandio, Advocate for applicant.
Ms. Sobia Bhatti, A.P.G for the State.
Mr. Abdul Rahim Gajo, Advocate for complainant.

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ORDER

Irshad Ali Shah J:- It is alleged that the applicant with rest of the culprit in furtherance of their common intention not only committed Qatl-i-amd of Mst. Shamim Akhtar and Suhail Aitbar by causing them fire shot injuries but caused fire shot injuries to PW Sufiyan Ali with intention to commit his murder, for that present case was registered.

2. The applicant on having been refused post arrest bail by learned 3rd Additional Sessions Judge, Shaheed Benazirabad has sought for the same from this court by way of making instant application under section 497 Cr.P.C.

3. 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 in order to satisfy its enmity with him over landed property and the role attributed to the applicant in commission of incident is only to the extent of instigation. In support of his

contention he relied upon case of *Wazir Muhammad vs the State (1978 SCMR 448)*.

4. Learned A.P.G for the State and learned counsel for the complainant have opposed to grant of bail to the applicant by contending that he has actively participated in commission of incident.

5. I have considered the above arguments and perused the record.

6. The role attributed to the applicant in commission of incident is only to the instigation therefore, his involvement in commission of incident obviously is calling for further enquiry.

7. In view of above, the applicant is admitted to bail subject to his furnishing surety in sum of Rs.200,000/- and PR bond in the like amount to the satisfaction of learned trial court.

8. The instant bail application is disposed of accordingly.

JUDGE

Ahmed/Pa,