

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Bail Application No.S-1065 of 2020

DATE

ORDER WITH SIGNATURE OF JUDGE

For orders on office objection.

For hearing of main case.

14.12.2020.

Mr. Tahseen Ahmed A. Qureshi, Advocate for applicant.

Ms. Sobia Bhatti, A.P.G for the State.

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ORDER

Irshad Ali Shah J:- The applicant is alleged to have committed murder of Yar Muhammad by causing him fire shot injuries. On arrest from him has been secured by the police the unlicensed TT Pistol, which he allegedly used in commission of above said murder, for that the present case was registered.

2. The applicant on having been refused post arrest bail by learned Additional Sessions Judge-I/Model Criminal Trial Court Umerkot 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 police; the pistol has been foisted upon the applicant at the instance of complainant party of main murder case, therefore, the applicant is entitled to grant of bail on point of further enquiry.

4. Learned A.P.G for the State has opposed to grant of bail to the applicant by contending that he has committed the murder of innocent person and on arrest from him has been secured the crime weapon.

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

6. The applicant is alleged to have committed murder of Yar Muhammad by causing him fire shot injuries and on arrest from him has been secured the TT Pistol which was allegedly used by him in commission of above said murder. In that situation, it would be premature to say that the applicant is innocent or the pistol has been foisted upon him by the police at the instance of complainant party of main murder case. The applicant has already been refused bail in main murder case in earlier course of the day and there appear reasonable grounds to believe that the applicant is guilty of the offence with which he is charged.

7. In view of the facts and reason discussed above, it could be concluded safely that the applicant is not found entitled to be released on bail. Consequently, his bail application is dismissed with direction to learned trial Court to expedite disposal of the case preferably within three months after receipt of copy of this order.

JUDGE