

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD**  
Criminal Bail Application No.S-812 of 2020

DATE

ORDER WITH SIGNATURE OF JUDGE

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

18.01.2021.

Mr. Raza Muhammad Gadahi, Advocate for applicant.  
Ms. Sobia Bhatti, A.P.G for the State.  
Mr. Ashfaq Ali Khaskheli, advocate for complainant.

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**ORDER**

**Irshad Ali Shah J:-** It is alleged that the applicant committed murder of his wife Mst.Aliya by strangulating her throat, for that he was booked accordingly.

2. The applicant on having been refused post arrest bail by learned VI Additional Sessions Judge, Hyderabad, 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 in order to satisfy his matrimonial dispute with him; the FIR of the incident has been lodged with delay of about three days and cause of death of the deceased could not be determined even by medical board therefore, the applicant is entitled to his release on bail on point of further inquiry. In support of his contention he relied upon case of *Mst. Sarwari and 2 others vs The State (2012 YLR 728)*.

4. Learned A.P.G for the State and learned counsel for the complainant have opposed to release of the applicant on bail by contending that he has committed death of an innocent lady.

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

7. Admittedly, none has seen the applicant committing the alleged incident. The FIR of the incident has been lodged with delay of about three days that too after with the consultation with the elders and cause of death of the deceased could not be determined even by the medical board. In these circumstances, a case for grant of bail to the applicant on point of further inquiry is made out.

8. 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.

9. The instant bail application is disposed of accordingly.

**JUDGE**

Ahmed/Pa,