

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

**Criminal Bail Application No.S-348 of 2021**

Applicants : Shams, Mashooque, Sikandar alias Mitho and Mehboob through Syed Tarique Ahmed Shah, Advocate.

Respondent : The State through Ms. Rameshan Oad, Assistant Prosecutor General, Sindh along with Inspector/I.O Ghulam Hussain Soomro.

Complainant : Complainant Ameer Hamzo (present in person) through Mr. Abdul Sattar Sarki, Advocate.

Date of hearing : **22.11.2021**

Date of Order : **22.11.2021**

**O R D E R**

**AMJAD ALI SAHITO, J:-** Through the instant bail application, the applicants/accused above named seek their post arrest bail in Crime No.55 of 2020, under sections 302, 324, 147, 148, 149, 109, 337-F(ii), 337-A(i), 504 P.P.C, registered at P.S Moya, District Tando Muhammad Khan.

2. The details and particulars of the F.I.R. are already available in the bail application and F.I.R., same could be gathered from the copy of F.I.R. attached with such application, hence needs not to reproduce the same hereunder.

3. Per learned counsel, the applicants/accused are innocent and have falsely been implicated in the case in hand; that co-accused have already been granted bail by this Court and the case of applicants/accused is identical to that of co-accused as such they are entitled for grant of bail on the rule of consistency.

4. On the other hand learned counsel for complainant as well as learned A.P.G vehemently opposed for grant of bail.

5. Heard and perused.

6. No doubt the names of all the applicants/accused appeared in FIR with specific role; that accused Shams inflicted iron blows on the right side chest of deceased Ali Meer, accused Mashooque hit blunt side of

hatchet blow on deceased Ali Meer, Sikandar alias Mitho caused iron blows on the both arms of deceased Ali Meer and the last accused Mehboob also caused iron blows on the legs of deceased Ali Meer. Resultantly after receiving all injuries, deceased became unconscious and subsequently succumbed to his injuries. The ocular evidence finds support from medical evidence and PWs in their 161 Cr.P.C statements have fully supported the version of complainant. At this stage, learned counsel for applicants/accused has failed to point out any malafide or enmity for false implication of the applicants/accused in this case. Learned counsel for applicants/accused failed to make out a case for grant of bail in view of sub-section (2) of Section 497 Cr.P.C. Resultantly, the instant bail application is dismissed, however learned trial Court is directed to expedite the matter and conclude the case preferably within a period of 60 days after receipt of this order.

JUDGE

*Tufail*