

*ORDER SHEET*  
**IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD**  
Cr. B.A. No.S- 609 of 2021

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DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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1. For orders on office objection.
2. For hearing of main case.

08.11.2021

Ms. Rameshan Oad, A.P.G.

Mr. Ashfaqe Ahmed Solangi, Advocate alongwith the complainant as well as injured/P.W Mehmood.

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**ORDER**

**Amjad Ali Sahito, J:** Through instant bail application, applicant Rafique seeks post-arrest bail in Crime No.25 of 2021, registered at Police Station Bhan Saeedabad District Jamshoro, under section 324, 504, 34 PPC. Earlier, the bail plea of the applicant was declined by the learned Additional Sessions Judge, Sehwan vide order dated 12.07.2021, hence he approached this Court for same relief.

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

3. None present for the applicant. On last date of hearing viz. 04.11.2021, on the request of learned counsel for the applicant instant bail application was adjourned for today i.e. 08.11.2021 at 08:30 a.m, however, with note of caution that in case he fails to proceed with the matter, same will be dismissed for non-prosecution. Once again learned counsel for the applicant is called absent, no intimation received, which shows that he has no interest to proceed with the matter. I have asked the learned counsel for the complainant to read the FIR. From perusal of FIR, name of the applicant transpired with specific role that he has fired upon injured/P.W Mehmood, which hit on his knee and as a result thereof he became injured. Further ocular version finds support from medical evidence. The P.Ws in their 161 Cr.P.C. statements have fully supported the version of the complainant, as such sufficient material is

available on record to connect the applicant with the commission of alleged offence. No ill-will or enmity has been alleged in the case by the learned counsel for the applicant to believe that he has been falsely roped in this case. At bail stage only tentative assessment is to be made. Tentatively, the applicant has failed to make out his case as of further inquiry as envisaged under sub-section (2) to section 497 Cr.P.C.

4. In view of above, the bail application is dismissed. However, the trial Court is directed to expedite the matter and conclude the same preferably within a period of 45 days from today and submit compliance report.

5. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the learned trial Court while deciding the case of the applicant on merits.

JUDGE

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