

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD

Criminal Bail Application No.S-437 of 2021

DATE	ORDER WITH SIGNATURE OF JUDGE
	1. For orders on office objections.
	2. For hearing of main case.
<u>12.07.2021.</u>	

Mr. Muhammad TahirYaseen, Advocate for applicants.

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

ComplainantMukhtiar Ali Thaheempresent in person.

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Irshad Ali Shah J.- It is alleged that the applicants with rest of the culprit in furtherance of their common intention destroyed or defiled the copies of Holy Quran, for that the present case was registered against them.

2. The applicants on having been refused post-arrest bail by learnedAdditional Sessions Judge, Shahdadpurhave sought for the same from this Court by preferring instant application under section 497 Cr.P.C.

3. It is contended by learned counsel for the applicants that the applicants being innocent have been involved in this case falsely by the police otherwise their names are not appearing in F.I.R, therefore, they are entitled to be released on bail on point of further inquiry.

4. Learned Assistant Prosecutor General for the Stateand complainant in person have recorded no objection to grant of bail to the applicants.

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

6. The names of the applicants are not appearing in F.I.R and more so the complainant and his witnesses by filing their affidavits before learned Trial Court have already recorded no objection to grant of bail to applicants obviously after declaring them to be innocent. In these circumstances, a case for grant of bail to the applicants on point of further inquiry obviously is made out.

7. In case of *Muhammad Najeeb vs. State (2009 SCMR-448)*, it has been held by Honourable Supreme Court of Pakistan that;

“complainant initially had nominated the accused in the FIR but later-on through an affidavit he has expressed his satisfaction with regard to innocence of the accused, the case of the accused was of further enquiry”.

8. In view of above, the applicants are admitted to post arrest bail subject to their furnishing solvent surety in the sum of Rs.30,000/- each and P.R bonds in the like amount to the satisfaction of learned trial Court.

9. The instant bail application is disposed of accordingly.

JUDGE

Muhammad Danish Steno.