

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

Criminal Bail Application No.S-537 of 2021

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objections.
2. For hearing of main case.

26.07.2021.

Mr. Azizullah M. Buriro, Advocate for applicant.

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

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Irshad Ali Shah J; It is alleged that the applicant with rest of the culprits, robbed complainant party of its motorcycle, for that the present case was registered.

2. The applicant on having been refused post arrest bail by learned 9th Additional Sessions Judge, Hyderabad has sought for the same from this Court by way of making application u/s: 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, otherwise his name is not appearing in F.I.R and no identification parade has been held even after his arrest, therefore, the applicant is entitled to his release on his bail as his case is calling for further inquiry.

4. Learned A.P.G. for the State has opposed to release of the applicant on bail by contending that on arrest from the applicant has been secured robbed property and crime weapon.

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

6. No doubt the name of the applicant is not appearing in FIR but there could be made no denial to the fact that on arrest from him has been secured robbed motorcycle and crime weapon by police party on patrolling, it was having no ill-will with the applicant to have involved him in this case falsely by making foistation of above said articles upon him. In that situation, there was hardly a need with the police to have subjected the applicant to identification parade through the complainant party. The offence alleged against the applicant is affecting the society at large and its gravity could not be kept out of consideration. It would be premature to say that the applicant is innocent. There appear reasonable grounds to believe that the applicant is guilty of the offence with which he is charged.

7. For what has been discussed above, it could be concluded safely that the applicant is not found entitled to his release on bail. Consequently, his bail application is dismissed with direction to learned trial Court to expedite disposal of the case of the applicant preferably within three months after receipt of copy of this order.

JUDGE