

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

Criminal Bail Application No.S-303 of 2022

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

22.04.2022

Mr. Ghulamullah Chang, Advocate for applicants.
Ms. Safa Hisbani, Assistant Prosecutor General, Sindh.

==

Irshad Ali Shah J.- It is alleged that the applicants with rest of the culprits in furtherance of their common intention obtained money from the complainant and his witnesses for their appointment in civil service other than merits, by practicing fraud and cheating with them, for that the present case was registered.

2. The applicants on having been refused post-arrest bail by learned 2nd Judicial Magistrate Badin and learned Sessions Judge, Badin have sought for the same from this Court by making instant application under section 497 Cr.P.C.

3. It is contended by learned counsel for the applicants that the F.I.R of the incident has been lodged with delay of more than 08 months and offence alleged against the applicants is not falling within prohibitory clause, therefore, they are entitled to be released on bail on point of further inquiry.

4. None has appeared on behalf of the complainant despite service of notice. However, learned Assistant Prosecutor General for the State, has opposed to release of the applicants on bail by contending

that they have cheated the complainant and his witnesses by practicing fraud with them.

5. Heard arguments and perused the record.

6. The F.I.R of the incident has been lodged with delay of more than eight (08) months; such delay having not been explained plausibly could not be overlooked. The offence alleged against the applicants is not falling within prohibitory clause. The act of the complainant and his witnesses to get them appointed in civil service other than merits by offering money, if is believed to be true then is appearing to be deplorable. The case has finally been challaned and there is no apprehension of tampering with the evidence on the part of the applicants. In these circumstances, a case for release of the applicants on bail on point of further inquiry obviously is made out.

7. In view of above, the applicants are admitted to post arrest bail subject to their furnishing solvent surety in the sum of Rs.100,000/- each and P.R bonds in the like amount to the satisfaction of learned trial court.

8. The instant bail application is disposed of accordingly.

JUDGE

Muhammad Danish*