

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

Criminal Bail Application No.S-1123 of 2021

DATE	ORDER WITH SIGNATURE OF JUDGE
<b><u>25.03.2022.</u></b>	For hearing of main case.

Mir Naeem Akhtar Talpur, Advocate for applicant.  
Ms. Safa Hisbani, Assistant Prosecutor General, Sindh.  
Mr. Asif Chaudhary, Advocate for complainant.

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**Irshad Ali Shah J.-** It is alleged that the applicant with rest of the culprit took PW Muhammad Salman with them and then subjected him to unnatural lust, for that the present case was registered.

2. The applicant on having been refused post-arrest bail Additional Sessions Judge-II, Mirpurkhas has sought for the same from this Court by filing instant application under section 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 complainant and no effective role in commission of incident is attributed to him. By contending so, he sought for release of the applicant on bail on point of further inquiry.

4. Learned APG for the State and learned counsel for the complainant have opposed to release of the applicant on bail by contending that he has actively participated in commission of incident.

5. Heard arguments and perused the record.

6. The F.I.R of the incident has been lodged by the complainant after due consultation which appears to be significant. The role attributed to applicant in commission of incident is only to the extent that he closed the door of the room at the time when PW Muhammad Salman was allegedly being subjected to unnatural lust by co-accused Sajid Narejo, therefore, his involvement in commission of incident on point of vicarious liability obviously is calling for determination at trial. In these circumstances, a case for release of the applicant on bail on point of further inquiry obviously is made out.

7. In view of above, the applicant is admitted to post arrest bail subject to his furnishing solvent surety in the sum of Rs.50,000/- and P.R bond in the like amount to the satisfaction of learned trial court.

8. The instant bail application is disposed of accordingly.

JUDGE

Muhammad Danish\*