

**HIGH COURT OF SINDH, CIRCUIT COURT
AT HYDERABAD**

**Cr. Bail Application No.D-106 of 2023
[Junaid Ali versus The State]**

Date	Order with signature of Judge
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Before:-

**Justice Mrs. Kausar Sultana Hussain
Mr. Justice Khadim Hussain Soomro**

Applicant : Through Mr. Sameeullah Rind advocate
Complainant: None present
State : Through Mr. Siraj Ahmed Bijarani, Assistant P.G
Date of hearing: 16.01.2024
Date of decision: 16.01.2024

KAUSAR SULTANA HUSSAIN J.- Applicant Junaid Ali seeks post arrest bail in Crime No.76 of 2023 registered at P.S Piyaro Lund for offences punishable under Sections 295-A and 298-A PPC read with Section 25-D of Telegraph Act further read with Section 6(f) of Anti-Terrorism Act, 1997. He had applied for the same relief before the learned trial Court, however, it was turned down vide Order dated 04.11.2023.

2. Facts of the case find sufficient elaborate in memo of bail application as well as impugned Order as such there is no need to reproduce the same here for the sake of brevity. However the allegation against the applicant is that on 01.08.2023 he alongwith co-accused deliberately and maliciously raised slogans wherein they used derogatory language against the glory of **Sahab-e-Karam Hazrat Umer Farooq** and recorded such video and made it viral on social media, hence outraged the religious feelings of complainant and others.

3. We have heard the learned counsel for the applicant as well as learned A.P.G and have perused the material available on record.

4. It appears that FIR has been lodged with promptitude by assigning specific role to the applicant. It is noted that complainant and witnesses knew the accused, as such there is no question of mistaken identity. It is also noted that Section 161 Cr.P.C statements of witnesses duly support the contents of FIR. It is further noted that during course of investigation the IO has collected the recording in USB, which was sent to Forensic Expert and according to report there in no

editing in said recording. The offences, for which the applicant has been charged, are non-bailable and we do not find any allegation of malafide against complainant and/or witnesses in this case. Further this unfortunate incident has potential to ignite the sectarian feelings.

5. Since sufficient material is available on record, which prima facie connects the present applicant with the commission of offence, as such applicant is not entitled for concession of post-arrest bail. Accordingly, captioned bail application stands dismissed. However learned trial Court is directed to expedite the trial and complete it within four (04) months from the date of this Order in accordance with law.

6. Needless to mention here that observations made hereinabove are tentative in nature and will not prejudice the case of either party at trial.

7. Captioned bail application stands disposed of accordingly.

JUDGE

JUDGE

Sajjad Ali Jessar