

## ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI

CrI. Bail Application No. 1112 of 2023

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**Date** **Order with signature of Judge**

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For hearing of bail application.

18<sup>th</sup> August 2023

Mr. Shah Imroz Khan, advocate for the applicant.  
Ms. Abida Perveen Channar, Special Prosecutor ANF.

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Bail application of present applicant was dismissed on 1<sup>st</sup> November 2022 with direction to learned trial Court to conclude the trial expeditiously. However, since 01<sup>st</sup> November 2022, yet trial court has not framed charge and proceedings with regard to absconding accused are pending. Co-accused Salman was granted bail by this Court vide order dated 31.03.2022 on the plea that he was not available at the site. Besides, the medical report reflects that applicant has multiple skin diseases in prison. Being relevant comments are reproduced herewith:-

“Comments:

The UTP was examined by the undersigned as well as the visiting Dermatologist multiple times. According to skin specialist accused is suffering from generalized Tinea Corporis and Tinea Cruris (Fungal Infection). Above mentioned symptomatic treatment is continued. He is also advised to improve his own Hygiene, avoid Detergent Soap use on the body and take all medications regularly. Otherwise his condition is stable at present.”

Since applicant's bail was dismissed with direction. However, admittedly, the trial of the case has not been commenced. It is settled principle that bail cannot be withheld as convocation; hence, applicant [Zain s/o Mukhtar] is admitted to post arrest bail subject to his furnishing solvent surety in the sum of Rs.100,000/- and P.R. bond in the like amount to the satisfaction of the trial Court.

JUDGE