

Order Sheet
IN THE HIGH COURT OF SINDH,
BENCH AT SUKKUR

Crl. Bail Application No.S- 310 of 2023

Date of hearing	Order with signature of Judge.
-----------------	--------------------------------

- 1.For orders on office objections.
- 2.For hearing of Bail Application.

Mr. Manzoor Hussain Narejo, Advocate along with applicant.
Mr. Shafi Muhammad Mahar, Deputy P.G for the State.

Date of Hearing & Order: **25-09-2023**

ORDER

MUHAMMAD IQBAL KALHORO, J.- Applicant is alleged to have caused dagger blows to the brother of complainant, namely, Abdul Hayee on different parts of his body on 31.07.2021, when he was available in his shop.

2. Applicant was granted pre-arrest bail by the trial Court vide order dated 10.02.2022, which was cancelled on account of his absence on 29.04.2023 and subsequently NBWs have been issued against him. Before that, applicant had filed an application under Section 540 CrPC before the trial Court seeking exemption from appearance on the ground that he being student of Quaid-e-Awam University at Islamabad, was living in Islamabad, but that application was dismissed. Since the applicant was already granted pre-arrest bail on merits in consideration of the fact that there was conflict in medical evidence and ocular account and all the injuries inflicted to the victim were bailable, the trial Court ought to have considered these facts before

cancelling his bail, not least when he was being represented by the Counsel.

3. In any case, learned DPG has recorded no objection and therefore this bail application is **allowed**. Interim pre-arrest bail earlier granted to applicant by this Court is confirmed on same terms and conditions in view of the above facts and circumstances. The trial Court is directed to conclude the trial within a period of one month and announce the judgment.

4. The observations made hereinabove are tentative in nature and shall not influence the trial court while deciding the case on merits.

JUDGE

Ahmad