

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD.

Criminal Bail Application No.S-1230 of 2024

Applicant : Kanji alias Kano through Mr. Ahmed Nawaz Chang, Advocate.
Respondent : The State through Ms. Rameshan Oad, Assistant Prosecutor General Sindh.
Complainant : Bhagwano present in person.
Date of hearing : 22.11.2024.
Date of Order : 22.11.2024.

ORDER.

Amjad Ali Sahito, J:- Through instant bail application, the applicant/accused namely, Kanji alias Kano seeks post-arrest bail in Crime No.84/2024, registered at Police Station B-Section Tando Muhammad Khan for the offence under sections 302 PPC. Earlier the bail plea of the applicant/accused was declined by the learned Sessions Judge, Tando Muhammad Khan vide order dated 11.10.2024.

2. The details of the FIR are included in the bail application and its attached copy, so there is no need to restate them here.

3. Learned counsel for the applicant contends that the applicant/accused has falsely been implicated in this case otherwise, he is innocent. He further contends that the incident is un-seen and un-witnesses; however, subsequently, the applicant was booked in this case. He prays for grant of bail to the applicant/accused.

4. Complainant present in person submits that due to suspicion he has involved the applicant in this case otherwise, he is innocent. He submits that if bail is granted to applicant, he has no objection.

5. On the other hand, learned A.P.G. Sindh does not oppose the grant of bail to the applicant in view of no objection raised by the complainant.

6. Heard and perused the record.

7. Admittedly, FIR is delayed by four days and thereafter the applicant was booked in this case. Complainant, who is father of deceased present in Court has stated that mistakenly on suspicion he has involved the present applicant; however, raised no objection for grant of bail. Complainant has also stated that he has filed affidavit before the learned trial Court.

8. Since the father of the deceased himself has exonerated the applicant from the charges by saying that he was involved in this case due to suspicion and misunderstanding but after it surfaced that applicant is innocent, he raised no objection. In view of the above position, instant criminal bail application is **allowed**. Resultantly, applicant is admitted to post-arrest bail subject to his furnishing a solvent surety in the sum of Rs.100,000/- to the satisfaction of learned trial Court.

JUDGE

Abdullah Channa/PS