

ORDER-SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA
Crl. Bail Appln. No. S- 51 of 2015.

Date of hearing	Order with signature of Judge
17.10.2016.	

For Hearing.

Messrs Saeed Ahmed Bijarani and Habibullah Ghouri, Advocates
for applicant.

Mr. Munir Ahmed Abbasi, DDPP for the State.

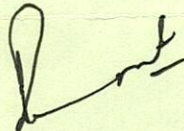
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The process issued against the complainant is received back un-served with the endorsement of the SHO P.S Miani Katcho that the complainant has shifted to some unknown place; the report is duly attached with the statements of two persons of the locality.

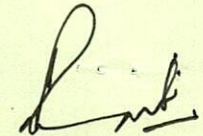
Additional Sessions Judge, Kashmore has also submitted progress report, stating therein that on 16.8.2016, 30.8.2016, 06.9.2016 and 20.9.2016 the complainant was present but his evidence could not be recorded due to adjournment applications filed by the complainant and accused persons; thereafter case was fixed on 04.10.2016 for evidence of complainant side but since he was on casual leave the matter could not be proceeded and lastly the matter was adjourned to 13.10.2016, when the complainant was called absent. The conduct of the complainant shows that he is attending the trial Court but deliberately avoiding to appear before this Court.

The learned counsel for the applicant however does not press this criminal bail application by submitting that now statutory ground for grant of bail is available to applicant, therefore, he intends to file fresh bail application on said ground before the trial Court, hence this bail application may be disposed of as not pressed with directions to the trial Court that in case fresh bail application on the ground of statutory delay is filed by the applicant before the trial Court, the same may be decided within a period of thirty days from the date of its filing.

Learned D.D.P.P records his no objection.



Accordingly, this bail application is dismissed as not pressed, however with directions to the learned trial Court that in case a fresh bail application is filed by the applicant on the ground of statutory delay, the same shall be decided by the trial Court expeditiously and preferably within a period of thirty days from date of its filing without being influenced with the orders of rejection of earlier bail applications filed on behalf of the applicant.



JUDGE