

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA

Criminal Bail Appln. No. S-631 of 2024

Applicant	:	Pir Bux @ Peeral s/o Muhammad panjal Through Mr. Sher Ali Chandio, advocate
Complainant		Gahno Khan M/s Asif Ali Abdul Razak Soomro and Safdar Ali Ghouri, advocates
The State	:	Mr. Aitbar Ali Bullo, D.P.G for the State
Date of hearing		19-05-2025
Date of order		19-05-2025

ORDER

AMJAD ALI SAHITO, J.- Through instant criminal bail application, applicant/accused Pir Bux @ Peeral seeks post-arrest bail in Crime No.119/2024, registered under Sections 395, 337-H(ii), P.P.C. Prior to this, he filed such application but the same was turned down by the learned Additional Sessions Judge, Jacobabad, vide order dated 10.10.2024, hence he has filed instant criminal bail application.

2. The details and particulars of the FIR are already available in the bail application and FIR, same could be gathered from the copy of FIR attached with such application, hence, needs not to reproduce the same hereunder.

3. Learned counsel for the applicant submits that the applicant/accused is innocent and he has falsely been implicated in this case by the complainant; that name of applicant/accused does not transpired in the F.I.R and the F.I.R is delayed about 10 days in lodging of F.I.R, for which no plausible explanation has been furnished by the complainant; that the name of present applicant/accused surfaced after 63 days of the incident. He further submits that nothing was recovered from the possession of the applicant/accused. He is in jail and not required for further investigation. Lastly he has prayed for grant of post-arrest bail to the applicant.

4. On the other hand, learned counsel for the complainant as well as learned D.P.G. have vehemently opposed for grant of bail by submitting that applicant/accused is very much involved in this case, therefore, he is not entitled for grant of post-arrest bail.

5. Heard and perused.

6. Admittedly the F.I.R is delayed about 10 days; the name of applicant/accused does not transpire in the F.I.R; no specific role has been assigned, the name of applicant/accused surfaced after delay of 63 days for which no plausible explanation has been furnished. Further nothing is recovered from the possession of applicant to believe that he is involved in this case. The applicant/accused is in jail he is no more required for further investigation.

7. At bail stage, only a tentative assessment is to be seen. Learned counsel for the applicant/accused has made out a case for grant of post-arrest bail in view of sub-section (2) of section 497 Cr.P.C. Resultantly the instant bail application is allowed and the applicant/accused Pir Bux @ Peeral is admitted to post-arrest bail subject to his furnishing solvent surety in the sum of Rs.50,000/- and P.R. bond in the like amount to the satisfaction of learned Trial Court.

8. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the learned trial court while deciding the case of either party at trial.

J U D G E

Abdul Salam/P.A