

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Criminal Bail Application No. 2016 of 2024
(Muhammad Hanif v. The State)

Date	Order with signature of Judges
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For hearing of bail application

21.10.2024

Mr. Sajad Ali Khowaja, advocate for the applicant
Mr. Muhammad Anwar Mahar, DDPP for the State
Mr. Muhammad Haleem Jamali, advocate for the complainant

It is alleged that the applicant with the rest of the culprits in furtherance of their common intention besides maltreating him caused an iron rod blow to P.W Mehboob Ali and then went away by insulting complainant Muhammad Hanif and his witnesses, for which the present case was registered.

The applicant having been refused pre-arrest bail by learned 1st Additional Sessions Judge, Sujawal, has sought the same from this Court by making the instant bail application under section 498 Cr.P.C.

Heard arguments and perused the record.

The FIR of the incident has been lodged with a delay of about one month, such delay could not be overlooked. The offence alleged against the applicant does not fall within the prohibitory clause. There is a counter version of the incident. And more so complainant Muhammad Hanif by filing his affidavit has recorded no objection to the grant of the pre-arrest bail to the applicant. The case has finally been challaned. The applicant has joined the trial and there is no allegation of misusing the concession of interim pre-arrest bail on his part. In these circumstances, a case for grant of pre-arrest bail to the applicant on the point of further inquiry and malafide is made.

Consequent to the above discussion, the interim pre-arrest bail already granted to the applicant is confirmed on the same terms and conditions.

Instant bail applications are disposed of accordingly.

J U D G E

Nadir*