

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA

Crl. Bail Appln. No.S-38 of 2024.

DATE OF HEARING	ORDER WITH SIGNATURE OF HON'BLE JUDGE
<u>25.03.2024.</u>	<p>1. For orders on office objection 'A'. 2. For hearing of bail application.</p>

Mr. Suhail Ahmed Veesar and Miss Faiza Khurshed Chandio, advocates along with applicant (on bail).

Mr. Ali Anwar Kandhro, Addl. P. G.

Mr. Syed Soofan Shah, advocate for the complainant.

ORDER.

MUHAMAD SALEEM JESSAR-J Through instant bail application, applicant Wahid Bux @ Naban son of Meenhal Jalbani, seeks pre arrest bail in Crime No.249 of 2023 registered at Police Station Ratodero, for offence punishable under sections 365-B, 450, 148, 149, PPC.

2. The allegation against applicant/accused as per FIR, is that on 25.11.2023 at 01:00 p.m, he along with co-accused Babar, Gulab, Nadeem, Sudheer, Rasool Bux and Aijaz, all armed with deadly weapons, entered into the house of complainant Deedar Ali with intent to cause the marriage of daughter of the complainant with one of the accused persons. After the incident, at first, the complainant brought the matter before Nekmards of his locality and upon being disappointed got registered the FIR on 08.12.2023 at 11:00 p.m.

3. It appears that alleged abductee Mst. Yasmeen has filed C.P.No.D-783 of 2023, for protection against the police officials and complainant of this case, who happens to be her father, which is still pending adjudication, even her statement has not been recorded by the I.O. Interim challan of the case has already been filed where the

applicant Wahid Bux after furnishing surety before this Court has surrendered/joined the trial proceedings on 20.01.2024. The allegation of abduction is subject to the statement of the alleged abductee Mrs. Yasmeen who has filed C.P.No.D-783/2023 before this Court, therefore accusation against the applicant requires further probe. Though the counsel for the complainant opposes the bail application, however to linger on proceedings will fruit nothing but wastage of time. In the circumstances and in view of petition filed by alleged abductee before this Court against the complainant of this case, the case against the applicant requires further enquiry within the meaning of subsection (2) of Section 497 Cr.P.C. Consequently, the bail application is hereby allowed. Interim bail granted to the applicant on 19.01.2024 is hereby confirmed on the same terms and conditions. The applicant present is directed to continue his appearance before the trial Court till final decision of the case.

Judge

M.Y.Panhwar/**