

Applicants:

1. Asghar Ali son of Moula Bux,
2. Waheed Ali son of Moula Bux,
3. Moula Bux son of Ghous Bux,
4. Inayat Ali son of Ameer Bux

The State

Date of hearing & Order: 20-08-2026.

ORDER.

Suresh Kumar, J ---Applicants named above seek confirmation of the ad-interim pre-arrest bail granted to them by this Court vide order dated 28.04.2026, in a case bearing crime No. 110/2025, offence u/s 365-B PPC registered at Police Station Kotdiji, District Khairpur.

2. The brief facts of the case are that the complainant, Asghar Ali Katohar, lodged his FIR at P.S. Kotdiji on 10.09.2025, alleging that on 06.09.2025, at 2100 hours, the accused Aijaz Tanweri, along with co-accused, abducted his wife, Mst. Sanam, with the intention to commit zina with her; hence, the above FIR was lodged.

3. The applicants initially sought pre-arrest bail from the Court of the learned Additional Sessions Judge-IV/GBV, Khairpur, which was dismissed vide order dated 20.04.2026. Aggrieved by this dismissal, the applicants have approached this Court.

4. I have heard the learned counsel appearing on behalf of the applicant/accused and the learned Deputy Prosecutor General for the State.

5. Having given due consideration to the arguments advanced by the counsel for the parties and perused the material available on record, it reveals from the perusal of the record that the applicants/accused are not nominated in the FIR. The record further reveals that the applicants/accused were implicated on the basis of the statement of the abductee, which was recorded on 14.10.2025, in which she leveled allegations of zina against Waheed Ali, Inayat Ali, Moula Bux, and two unknown persons. The record further reveals that before the recording of her statement by the Investigating Officer, the abductee, Sanam, appeared before the Additional Sessions Judge-IV, Dadu, on 29.09.2025, wherein she stated that she had been married for about six months to Asghar Katohar, who was maltreating her over petty matters and had detained her for 20 days. She then took her leave and came to Dadu, where, through her advocate, she appeared before the Court of Dadu, stating that she was in danger from her husband and wished to go to a Safe House for her safety. This indicates that the abductee has contradicted her earlier statement recorded in court while appearing before the Investigating Officer. Therefore, the case against the applicants falls within the ambit of further inquiry. Since there is a family dispute between the parties, mala fide intention on the part of the abductee cannot be ruled out. No other incriminating evidence is available on record that connects the applicants/accused with the commission of the offence. After being granted pre-arrest bail, the applicants have joined the investigation.

6. For the foregoing reasons, I am of the considered view that the applicants/accused have successfully made out a case for the grant of pre-arrest bail. Therefore, the interim pre-arrest bail already granted to the

applicants is hereby confirmed on the same terms and conditions, with a direction to appear before the trial Court.

J U D G E

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