

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Crl. Bail Application No. S- 1131 of 2025

Applicant: Raheem Bux son of Badal Khan bycaste Keerio, through Mr. Nabi Bux Shar Advocate.

Complainant: None present for complainant.

The State Through Mr. Shafi Muhammad Mahar, Deputy Prosecutor General, Sindh.

Date of hearing & Order: 24-08-2026.

ORDER.

Suresh Kumar, J ---Applicant named above seeks confirmation of the ad-interim pre-arrest bail granted to him by this Court vide order dated 21.11.2025, in a case bearing crime No. 42/2025, offence u/s 452, 365-B, 511, 506/2, 34 PPC registered at Police Station Khenwari, District Khairpur.

2. The brief facts of the case are that the complainant, Wali Muhammad, son of Ghulam Nabi Bhatti, lodged an FIR at the above-mentioned police station on 27.09.2025 at 2300 hours, alleging that he has two sons and eight daughters. Mst. Nimani, aged about 19 or 20 years, is a virgin. On 25.09.2025, after having a meal, the family went to sleep. On 26.09.2025, at about 02:00 hours, upon hearing the cries of his daughter, they woke up from sleep and saw the accused, Raheem Bux, with a pistol, while Zaffar Ali dragged their daughter by her hair. Allahdino was also armed with a pistol, and Zaffar Ali had a pistol, while Ashique was armed with a lathi. The accused stated that they had forcibly abducted her in order to contract a marriage with Raheem Bux. Upon hearing the cries, Ameer Ahmed and Ghous Bux came running, after which the accused fled the scene, and the complainant lodged the FIR.

3. The applicant initially sought pre-arrest bail from the Court of the learned Additional Sessions Judge-IV/GBV, Khairpur, which was dismissed via order dated 18.11.2025. Aggrieved by this dismissal, the applicant has 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, who opposed the grant of pre-arrest bail.

5. Having given due consideration to the arguments advanced by the counsel for the parties and having perused the material available on record, it is revealed from the perusal of the record that co-accused Imam Dino alias Allahdino, Zaffar Ali, Ashique Ali, and Khamiso have already been granted pre-arrest bail, while the pre-arrest bail of the present applicant/accused was dismissed via order dated 18.11.2025. From the perusal of the record, it further reveals that the applicant/accused, along with co-accused, has been granted bail by the trial Court, allegedly committed house trespass, attempted to abduct Mst. Nimani, and issued threats of murder. The role of the present accused is almost the same; therefore, the applicant is also entitled to the concession of bail under the rule of consistency. Even otherwise, there is a delay of more than one day in lodging the FIR, for which no plausible explanation has been furnished. Therefore, consultation and consideration for the false implication of the applicant/accused and assigning him a different role in the FIR cannot be ruled out. It has been pointed out that the case has been challaned and that the applicant/accused, after being granted pre-arrest bail, has been appearing before the trial Court and has not misused the concession of bail.

6. For the foregoing reasons, I am of the considered view that the applicant/accused has successfully made out a case for the grant of pre-arrest bail. Therefore, the interim pre-arrest bail already granted to the applicant is hereby confirmed on the same terms and conditions, with a direction to appear before the trial Court regularly and face the trial.

7. The bail application is disposed of in the above terms.

J U D G E