

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD
Cr.B.A.No.S-827 of 2020

DATE	ORDER WITH SIGNATURE OF JUDGE
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21.01.2021.

Mr. Muhammad Hassan Chandio, advocate along with applicant.

Mr. Suhail Memon, advocate for complainant.

Ms. Sobia Bhatti, A.P.G for the State.

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Irshad Ali Shah J;- It is alleged that the applicant with rest of the culprits in furtherance of their common intention committed murder of Mst. Peerani, misappropriated her gold rings and then thrown her dead body in a wheel in order to save them from legal consequences, for that the present case was registered against him.

2. The applicant on having been refused pre arrest bail by learned 3rd Additional Sessions Judge, Shaheed Benazirabad has sought for the same from this Court by way of instant application u/s 498 Cr.P.C.

3. It is contended by learned counsel for the applicant that the applicant being innocent has been involved in this case falsely by the complainant party in order to satisfy its dispute with him over landed property; none has seen the applicant committing the alleged incident and death of the deceased has been opined by the medical officer to be natural. By contending so, he sought for pre-arrest bail for the applicant.

4. Learned A.P.G. for the State and learned counsel for the complainant have opposed to grant of pre arrest bail to the applicants by contending that an innocent lady has lost her life together with her belongings at the hands of applicant and others.

5. I have considered the above arguments and perused the record.

6. The FIR of the incident has been lodged with the delay of about five days; such delay could not be overlooked. The death of the deceased as per final post mortem report is opined to be natural. The parties are said to be disputed over landed property. In these circumstances, a case for grant of pre-arrest bail in favour of the applicant on point further inquiry and malafide is made out.

7. In view of above, the interim pre-arrest bail already granted to the applicant is confirmed on same terms and conditions.

8. The instant bail application is disposed of accordingly.

JUDGE