

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

Cr. Bail Application No.S-668 of 2022

DATE **ORDER WITH SIGNATURE OF JUDGE(S)**

1. For orders on office objections.

2. For hearing of main case.

09.09.2022.

Applicant is present on ad-interim pre-arrest bail.
Mr. Mufeed Ahmed Narejo, Advocate for applicant.
Mr. Fayaz Hussain Sabki, Assistant P.G.

O R D E R

MUHAMMAD IQBAL KALHORO, J- Complainant reported the matter on 26.02.2022 to P.S Phulji Station occurring on 20.02.2022 about abduction from his house in Phulji of her sister Mst. Bakhtawar, aged about 17/18 years, by applicant and other co-accused named in the crime report. Bail application of the applicant was dismissed by the trial Court mainly on the ground that the case was under investigation. After investigation, the case has been recommended for disposal by the Investigating Officer under “B” class and such report has been submitted. Meanwhile, in view of such development, post arrest bail application of co-accused Abdul Majeed having been assigned the same role has been granted by the same Court with an observation that pre-arrest bail application of the applicant was recalled as challan at that time was not submitted. In view of such facts and circumstances, learned Assistant P.G submits that any order on merits may be passed. The mala fide on the part of complainant in view of above facts and circumstances cannot be ruled out. It is not scheme of the law to dismiss bail application of an accused, send him to jail and then grant him bail on the rule of consistency.

2. In view of the facts and circumstances as stated above, the application is allowed and ad-interim pre-arrest bail already granted to the applicant is hereby confirmed on same terms and conditions.

3. The observations made hereinabove are tentative in nature and shall not influence the trial Court while deciding the case on merits.

JUDGE

Shahid