

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

Cr. Bail Application No.S-765 of 2021

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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1. For orders on office objections.

2. For hearing of main case.

15.11.2021.

Applicants are present on interim pre-arrest bail.

Mr. Ali Nawaz Rajput, Advocate holds brief for Mr. Muhammad Nisar, Advocate for applicant.

Mr. Atta Muhammad Shaikh, Advocate for complainant alongwith complainant.

Ms. Sana Memon, Assistant P.G.

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MUHAMMAD IQBAL KALHORO. J.- Applicants and complainant are caste fellows and resident of same village namely Dhani Bux. It is alleged by the complainant that on 08.08.2021 at 0200 hours, applicants duly armed with weapons, committed house trespass and when the complainant party woke up and saw them, they fled away. On next date they quarreled with them. Applicants' Counsel has chosen to remain absent. Complainant's Counsel has opposed bail to the applicants. However, learned Assistant A.G does not oppose bail and submits that case against the applicants is of further inquiry.

2. I have considered submissions of the parties. Admittedly, there is delay of three days in registration of FIR; no medical evidence of injuries to the complainant or independent evidence about the incident is available against the applicants. The parties are resident of same village and are caste fellows, therefore, applicants' false implication on account of some dispute cannot be ruled out. Accordingly, this bail application is allowed and ad-interim pre-arrest bail already granted to the applicants vide order dated 03.09.2021 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

