

**HIGH COURT OF SINDH, CIRCUIT COURT  
AT HYDERABAD**

**Cr. Bail Application No.S-996 of 2023**  
[Akbar @ Ali Akbar & Ors versus The State]

Applicants : Through Mr. Ahmed Nawaz Chang advocate  
Complainant: Through Mr. Hemandas S. Sanghani advocate  
State : Through Ms. Sana Memon Assistant P.G Sindh  
Date of hearing: 23.10.2023  
Date of decision: 23.10.2023

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**ORDER**

**MUHAMMAD KARIM KHAN AGHA J.-** Applicants were booked in FIR No.87 of 2023 registered at P.S Tando Bago under Sections 379, 427 and 35 PPC and the case is now proceeding before learned Sessions Judge Badin, who vide Order dated 22.08.2023 dismissed the pre-arrest bail of applicants, hence they have approached this Court for pre-arrest bail.

2. Brief facts of the case are that on 28.07.2023 at about 01:30 p.m applicants were seen while allegedly stealing the wood amounting to Rs.30,000/- which belongs to complainant.

3. I have heard the learned counsel for the applicant, learned A.P.G as well as learned counsel for the complainant and have also considered the record.

4. The offenses to which applicants have been so charged are bailable and the learned A.P.G as well as learned counsel for the complainant have not been able to point out any exceptional circumstances which could deny the grant of bail to the applicants, who are regularly attending the trial Court. There is a general rule and bail is to be granted in such cases unless exceptional circumstances exist. I also noted that amount of loss by the alleged theft is very minor in nature being of only Rs.30,000/- and in said circumstances it hardly warrants to send the applicants to jail.

5. In view of the above discussion, the pre-arrest bail granted to the applicants, vide Order dated 08.09.2023, is hereby confirmed on the said terms and conditions. The applicants shall continue to regularly attend the trial Court proceedings.

6. Needless to mention here that observations made hereinabove are tentative in nature and the same will not prejudice the case of either party at trial.

7. Captioned bail application stands disposed of accordingly.

**JUDGE**

Sajjad Ali Jessar