

ORDER SHEET
IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR
 Crl. Bail Application No.S-488 of 2023
 (Punhun @ Muhammad Punhal & others Vs. The State)

1. For Orders on office objection.
2. For hearing of Bail Application.

13-11-2023.

M/s Abdul Razzaq Mahar and Shabbir Ali Bozdar, advocates for the applicants.

Mr. Anwar Ali Lohar, advocate for the complainant.

Syed Sardar Ali Shah Rizvi Additional P.G for the State.

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Irshad Ali Shah, J;- It is alleged that the applicants with rest of the culprits after having formed an unlawful assembly and in prosecution of its common object caused fists kicks blows to Abdul Qadir and then thrown him in a water course by such act he died, for that the present case was registered.

2. The applicants on having been refused Pre-arrest bail by learned Ist Additional Sessions Judge (MCTC), Ghotki, have sought for the same from this Court by way of instant bail application under Section 498-A Cr.P.C.
3. Heard arguments and perused the record.
4. No injury as per postmortem report was found on the body of the deceased; his death was opined to be result of drowning or sudden cardiac arrest; the deceased was said to be hardened criminal of the area; the applicants once were declared to be innocent by the police; co-accused Saddam and Ikram have already been admitted to bail by learned trial Court. Even otherwise there is general allegation of the incident. The case has finally been challaned. The applicants have joined the trial and there is no likelihood of absconsion or tempering with the evidence on their part. In these circumstances a case for grant of pre-arrest bail to the applicants on point of further inquiry and malafide obviously is made out.
5. In view of above, the interim pre-arrest bail already granted to the applicants is confirmed on the same terms and conditions.
6. The instant bail application is disposed of accordingly.

Judge

