

ORDER SHEET
IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR
 CrI. Bail Application No.S-146 of 2023
 (*Nazar Muhammad Vs. The State*)

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

14-11-2023.

Mr. Shabbir Ali Bozdar advocate for the applicant.
 Mr. Khalil Ahmed Maitlo, Deputy P.G for the State.

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Irshad Ali Shah, J;-It is alleged that the applicant with rest of the culprits after having formed an unlawful assembly and in prosecution of its common object, committed murder of Khadim Hussain and then went away by causing fire shot injury to PW Rashid Ali with intention to commit murder and making aerial firing to create harassment and insulting the complainant party for that the present case was registered.

2. The applicant on having been refused Pre-arrest bail by learned Additional Sessions Judge (MCTC), Ubauro, has 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. The FIR of the incident has been lodged with delay of about one day. The role attributed to the applicant in commission of the incident is only to the extent that he caused fir shot injury to PW Rashid Ali on his right thigh, which is non-vital part of his body. On investigation, the applicant was let of by the police finding him to be innocent. The parties are already disputed over water rotation. The case has finally been challaned. The applicant has joined the trial and there is no likelihood of his absconsion or tempering with the evidence. In these circumstances a case for grant of pre-arrest bail to the applicant 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 applicant is confirmed on the same terms and conditions.

6. The instant bail application is disposed of accordingly.

Judge

Nasim/P.A