IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Crl. Bail Application No. S-930 of 2023

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE

For hearing of main case

12.01.2024

Mr. Rukhsar Ahmed Junejo, Advocate for appellant
Syed Sardar Ali Shah, Addl. P.G

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Zulfiqar Ali Sangi, J: Through instant bail application, applicants/accused namely Ali Ahmed, Gulbahar, Imran and Fida Hussain seek pre-arrest bail in FIR No.41/2023 registered at Police Station Dubar, District Sukkur for an offence punishable under Section 302, 311 & 34 PPC. Applicants/accused have approached with the same plea, which has been declined by learned 1st Additional Sessions Judge / MCTC-I Sukkur, vide order dated 22.12.2023, hence he filed the instant Bail Application.

2.   The details and particulars of the F.I.R. are already available in the bail application and F.I.R., same could be gathered from the copy of F.I.R. attached with such application, hence needs not to reproduce the same hereunder.

3.   Heard and perused.

4.   As per the contents of FIR, the incident is an unseen one and general allegations in respect of murder of Mst. Siddiqua on the basis of spy information cannot be equated with the direct evidence, which even otherwise is not available in the case in hand. The statements under section 161 Cr.PC were recorded with the delay and the witnesses whose statements were recorded are

not the eye witnesses of the incident. The applicants were found innocent during the investigation and their names were placed on column No.2 of the challan. All these facts made the case one of further inquiry entitling applicants for their confirmation of pre-arrest bail. Result thereof, instant application is allowed. Interim pre-arrest bail already granted to applicant is hereby confirmed on the same terms and conditions.

5.   Needless to mention that whatever stated above is tentative in nature and shall not influence the mind of learned trial Court.

6.   The titled Cr. Bail Application stands disposed of in above terms.

JUDGE

M.Ali/ Stenographer