

ORDER SHEET
IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR
Crl. Bail Application No. S- 747 of 2023
(*Mir Khan & others Vs. The State*)

For hearing of Bail Application

22-01-2024.

Mr. Anwar Ali Lohar, advocate a/w the applicants.
Mr. Shafi Muhammad Mahar, DPG PG for the State.

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It is alleged that the applicants with rest of the culprits in furtherance of their common intention caused butt and lathi blows to complainant Naimatullah, PWs Ihsan and Shahnawaz with intention to commit their murder and then went away by making aerial firing to create harassment, for that the present case was registered.

The applicants on having been refused pre-arrest bail by learned IInd Additional Sessions Judge, Ghotki have sought for the same from this Court by way of instant bail application under section 498-A, Cr.P.C.

Heard arguments and perused record.

The FIR of the incident has been lodged with delay of about 14 days; such delay having not been explained plausibly could not be over looked. The injuries sustained by the complainant and his witnesses are not falling with the prohibitory clause. Section 324 PPC has been omitted by the police while submitting charge sheet before the Court. The parties are already disputed. The case has finally been challaned. The applicants have joined the trial and there is no allegation of misusing the concession of interim pre-arrest bail 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.

In view of above, the interim pre-arrest bail already granted to the applicants is confirmed on same terms and conditions.

Instant Bail Application is disposed of accordingly.

Judge

Nasim/P.A