

ORDER SHEET

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Crl. Bail Application No. S- 14 of 2024
(Wali Muhammad & others Vs. The State)

1. For Orders on MA No. 133/2024 (Ex./A)
2. For hearing of Bail Application

29-01-2024.

Mr. Muhammad Tarique Panhwar advocate for the applicants.
Mr. Shafi Muhammad Mahar, Deputy P.G for the State.

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Irshad Ali Shah, J;- It is alleged that the applicants with rest of the culprits by making trespass into the house of complainant Khamiso by night, attempted to take away his cattle(s) by causing fire shot injury to PW Ghulam Hussain, for that the present case was registered.

2. The applicants on having been refused pre-arrest bail by learned Sessions Judge, Ghotki, have sought for the same from this Court by way of instant Bail Application u/s 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 04 months; such delay having not been explained plausibly could not be overlooked. The injury sustained by PW Ghulam Hussain is on his left leg, which not vital part of his body. Nothing has been taken away. On investigation, the applicants were found to be innocent and very case was recommended by the police to be disposed of under "A" class. 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.

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

6. The instant Crl. Bail Application is disposed of accordingly.

Judge

Nasim//PA