

ORDER SHEET

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Crl. Bail Application No.S-490 of 2023
(Muhammad Amjad Chhajro Vs. The State)

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

16-10-2023.

Mr. Qurban Ali Malano and Syed Israr Ahmed Shah, advocates for the applicant.

Mr. Manzoor Hussain Mahesar, advocate for 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 applicant with rest of the culprits attempted to occupy the landed property of the complainant on the basis of false and fake document , for that the present case was registered.

2. The applicant on having been refused Pre-Arrest bail by learned IIIrd Additional Sessions Judge, Khairpur, 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. A civil suit between the parties on same cause is already pending adjudication before the civil Court having jurisdiction. On investigation, the challan of the case has been submitted by the police only for an offence punishable u/s 506/2 r/w section 34 PPC. It is not falling within prohibitory clause. There is no apprehension of absconsion or tempering with the evidence on the part of the applicant. In these circumstances a case for grant of pre-arrest bail in favour of the applicant is made out on point of malafide.

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

