

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Cr. Bail App. No. S – 211 of 2024

Date of hearing	Order with signature of Judge
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For hearing of bail application

17.05.2024

Mr. Rukhsar Ahmed Junejo, Advocate for applicants along with applicants, who has filed a statement along with certain documents.
Mr. Aftab Ahmed Shar, Additional Prosecutor General.

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Muhammad Iqbal Kalhoro, J. – Complainant has alleged in FIR that applicants armed with pistols committed robbery of motorcycle and a touch-mobile from them on 21.01.2024, when they travelling on the said motorcycle were on the road near village Katta Link, close to Cadet College. Thereafter, he kept on asking the accused and their relatives to return the robbed property but in vain, and finally, he appeared at police station and registered FIR on 20.02.2024.

2. Learned defense counsel, by referring to the delay of almost one month and the fact that the case has been challaned, has pleaded for pre-arrest bail, opposed by learned Additional Prosecutor General.

3. The delay of more than one month has *prima facie* not been explained. There is no record that complainant had approach the police on the same day and asked to keep at least an entry of the incident. During investigation, which applicants joined after getting pre-arrest bail, nothing incriminating have been recovered from them; therefore, false implication on account of *mala fide* by the complainant cannot be ruled out.

4. Accordingly, this application is **allowed**, and ad-interim pre-arrest bail already granted to applicants vide order dated 09.04.2024 is hereby **confirmed** on the same terms and conditions.

5. The observations, as above, are tentative in nature and not meant to affect merits of the case before the trial Court.

The bail application is accordingly **disposed of**.

J U D G E