

**IN THE HIGH COURT OF SINDH AT KARACHI**

Criminal Bail Application No.726 of 2024  
Criminal Bail Application No.766 of 2024  
Criminal Bail Application No.834 of 2024  
Criminal Bail Application No.922 of 2024

Applicants in Crl. : i. Ameer Deen Jokhio  
B.A. No.726/2024 ii. Irfan Ali Jokhio  
iii. Kamran Jokhio  
iv. Waris Jokhio  
v. Imran Jokhio  
vi. Haider Ali  
Through Mr. Masaud Ahmed Junejo,  
Advocate

Applicants in Crl. : i. Ali Akber  
B.A. No.766/2024 ii. Ali Sher  
iii. Ali Hassan  
iv. Ali Gul  
Through Ms. Samreen Saba, Advocate

Applicants in Crl. : i. Muhammad Rustam  
B.A. No.834/2024 ii. Nawab  
iii. Haris  
Through Mr. Masaud Ahmed Junejo,  
Advocate

Applicant in Crl. : Shahjahan Jokhio  
B.A. No.922/2024 Through Ms. Samreen Saba, Advocate

Respondent : The State  
through Mr. Zafar Ali Khan, Addl. P.G.  
Sindh

Date of hearing : 03.07.2024

Date of order : 03.07.2024

**ORDER**

**AMJAD ALI SAHITO, J** – By this common order, I intend to dispose of all four bail applications wherein applicants/accused seek pre-arrest bail in FIR No.63/2022 U/s. 147, 148, 149, 324, 506(2), 504, 109, 337-A(i), 337-F(i), 336 & 337-A(ii) PPC at PS Dhabeji, District Thatta, after their bail plea has been declined by learned Addl. Sessions Judge-I/MCTC, Thatta vide order dated 20.03.2024.

2. The details and particulars of the FIR are already available in the memo of bail application and FIR, which can be gathered from

the copy of FIR attached with the application, hence, needs not to reproduce the same hereunder.

3. Per learned counsel for the applicants, the applicants are innocent and have falsely been implicated in this case by the complainant; that initially pre-arrest bail was granted to all accused and thereafter they were attending the Court; that plea was recorded and charge was framed but subsequently after eight months, Section 336 PPC was inserted in the challan sheet, as such, notice was given to them by learned trial Court on which they again filed bail applications before the trial Court, which were dismissed. Hence, they preferred these bail applications before this Court for grant of pre-arrest bail. They further submit that the accused are attending Court regularly and have never misused the concession of bail. Lastly, they pray for confirmation of bail.

4. On the other hand, learned Addl. P.G. half-heartedly opposes for confirmation of bail.

5. Heard and perused. Since the accused were already granted bail and they were regularly attending the Court; however, due to insertion of Section 336 PPC, they again applied for bail. It is yet to be determined whether Section 336 PPC is applicable in this case or not when the evidence will be recorded. Learned counsel for the applicants also pleaded malafide on the part of the complainant.

6. In view of the above stated position, learned counsel for the applicants have made out case for grant of bail in terms of subsection 2 of Section 497 Cr.P.C. Resultantly, the instant bail applications are allowed. The pre-arrest bail granted to the applicants vide orders dated 28.03.2024, 02.04.2024, 19.04.2024 & 30.04.2024 is hereby confirmed on the same terms and conditions. Applicants/accused are directed to attend the trial as and when required. However, it is made clear that if the applicants/accused misuse the concession of bail, learned trial Court would be at liberty to take appropriate action.

7. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the learned trial Court while deciding the case of the applicants on merits.

JUDGE