

ORDER SHEET  
**IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD**

Criminal Bail Application No.S-738 of 2024

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**DATE ORDER WITH SIGNATURE OF JUDGE**

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**10.09.2024**

Ms. Najma Lakho advocate along with applicants.  
Ms. Rameshan Oad, A.P.G.

**ZULFIQAR ALI SANGI, J.-** Applicants seek pre-arrest bail in Crime No.27/2024 registered at P.S. Tando Adam Taluka U/s 496-A, 363, 34 PPC.

2. Bail is sought on the ground that there is delay of about 6 days in registration of FIR and it has not been explained; that the alleged abductee has given two version of incident and the medical evidence does not support the allegation mentioned in FIR; that the co-accused Noor Muhammad being the main accused who allegedly committed rape has been granted post arrest bail by the Additional Sessions Judge Khipro vide order dated 28.08.2024, therefore, the case of applicants is on good footing to that of co-accused who has been granted bail. She lastly prayed for confirmation of interim pre-arrest bail granted to the applicants.

3. The bail has been opposed by learned APG on the ground that the applicants are nominated in FIR and victim lady has made allegation against them while recording her statement u/s 164 Cr.P.C., therefore, they are not entitled for confirmation of bail.

4. Heard counsel for the parties and perused the material available on record.

5. Admittedly, victim has supported the case against the present applicants in her statement u/s 164 Cr.P.C; however, on some different version which can only be decided by the trial court as to which version of complainant and victim is correct. Furthermore, co-accused Noor Muhammad has already been granted post-arrest bail, therefore, the rule of consistency is also applicable in the case of present applicants. All these facts make the case of applicants one of further inquiry entitling them for confirmation of interim pre-arrest bail.

6. Under such circumstances, the bail application is allowed and the interim pre-arrest bail already granted to the applicants vide order dated 11.07.2024 is hereby confirmed on the same terms and conditions.

**JUDGE**

Ali Haider