

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Crl. Bail Application No. S -133 of 2024
(*Muhammad Moosa Buriro Vs. The State*)

1. For Orders on office objection.
2. For Orders on MA No. 1136/2024 (Ex./A)
3. For hearing of bail application.

26-03-2024.

Mr. Amanullah G.Malik, advocate for the applicant.
Syed Sardar Ali Shah Rizvi, Additional P.G for the State.
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1. Over ruled.
2. Granted subject to all just legal exceptions.
3. It is alleged that the applicant with rest of the culprits after having formed an unlawful assembly and in prosecution of its common object by keeping complainant Muhammad Khan under fear of death caused him lathi blows and then went away by misappropriating his money and Cell Phone, for that the present case was registered.
2. The applicant on having been refused pre-arrest bail by learned Additional Sessions Judge, Pano Aqil has sought for the same from this Court by way of instant Crl. Bail Application under section 498 Cr.P.C.
3. Heard arguments and perused the record.
4. The FIR of the incident has been lodged with delay of about 02 days; such delay having not been explained plausibly could not be over looked. The allegation against the applicant is general in nature. The offence alleged against the applicant is not falling within prohibitory clause of section 497 Cr.P.C. The case has finally been challaned. The applicant has joined the trial and there is no allegation of misusing the concession of interim pre-arrest bail on his

part. In these circumstances, a case for grant of pre-arrest bail to the applicant on point of further inquiry and malafide obviously is made out.

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

6. The instant bail application is disposed of accordingly.

Judge

Nasim/P.A