

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

Criminal Bail Application No.S-960 & 968 of 2024

DATE ORDER WITH SIGNATURE OF JUDGE

03.10.2024

Mian Taj Muhammad Keerio and Muhammad Yousuf Kalhoro
advocates along with applicants.
Mr. Nazar Muhammad Memon, Addl.P.G Sindh.

ZULFIQAR ALI SANGI, J.- Through these bail applications, applicants seek pre-arrest bail in Crime No.101/2024 registered at P.S. Matiari U/s 397, 506/2, 504, 34 PPC after their bail was declined by learned Additional Sessions Judge Matiari vide order dated 28.08.2024.

2. The contents of FIR need not to be reproduced as the same are already mentioned in the memo of bail application.

3. Bail is sought on the ground that the applicants have been falsely implicated in this case; that there is old enmity between the applicants and complainant party; that there is delay of nine and half hours in registration of FIR which has not been explained; that previously the brother and sister of applicant Muhammad Juman were murdered by the complainant party; that the case of applicants requires further inquiry. He lastly, prayed for confirmation of interim pre-arrest bail granted to the applicants.

4. The bail has been opposed by learned APG that the applicants are nominated in the FIR and direct role against them is alleged, therefore, applicants are not entitled for grant of pre-arrest bail.

5. Heard learned counsel for the applicant and APG and perused the material available on record.

6. From perusal of material available on record, it reflects that there appears some old enmity between the parties wherein brother and sister of the applicant Muhammad Juman were murdered by the complainant party and such FIRs were registered. Subsequent thereto this FIR was managed by complainant Jan Muhammad being the witness in another Crime No.97/2024 registered against applicants Muhammad Juman and Waqar. Malafide is clear on the part of complainant party to implicate the applicants. Even from perusal of this FIR, it reflects that it was registered after consultation by the complainant party. As such, the case requires further inquiry.

7. Under such circumstances, the applicants have been able to make out their case for confirmation of interim pre-arrest bail, as such, this bail application is allowed and the interim pre-arrest bail already granted to the applicants vide orders dated 30.08.2024 and 02.09.2024 respectively is hereby confirmed on the same terms and conditions.

JUDGE

Ali Haider