

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

Criminal Bail Application No.S-681 of 2021.

<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE</b>
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For orders on office objections.

For hearing of main case.

15.11.2021.

Mr. Mumtaz Ali Khushk advocate for the applicant.

Ms. Sana Memon, Assistant Prosecutor General.

Complainant is present in person.

Applicant is present on interim pre-arrest bail.

ORDER

MUHAMMAD IQBAL KALHORO, J:- Complainant has alleged in the FIR registered on 13.06.2021 at 2215 hours that on 31.05.2021 the applicant alongwith his brothers barged in his house and on show of weapons abducted his daughter Mst. Sughra to commit zina with her.

Learned defence counsel submits that the applicant is innocent; has falsely been implicated in this case; the parties were relative on account of marriage between them; due to family dispute the applicant has been nominated in this case. The incident is un-seen and infact abductee was kidnapped by some unknown accused regarding which still investigation is going on.

Learned APG submits that applicant's name is mentioned in the FIR with specific role; Yet abductee has not been recovered and report under Sections 173 Cr.P.C. indicates that during investigation applicant was found involved in the commission of offence.

I have considered submissions of parties and perused material available on record. Applicant alongwith other accused is nominated specifically by the complainant to have abducted his daughter Mst. Sughra, who as per investigation report under Section 173 Cr.P.C., has not been recovered yet. In the investigation applicant is found involved in the commission of offence and in abduction of daughter of complainant. No proof that applicant has been falsely implicated out of malafide has been brought on record. Mere fact that applicant and complainant parties were known to each other on account of some relation would not imply that

applicant has been implicated in heinous offence by the complainant on the basis of a base and square motive particularly. Accordingly, this bail application is dismissed and ad-interim pre-arrest bail granted to the applicant vide order 23.08.2021 is hereby recalled.

The observations made hereinabove are tentative in nature and shall not influence the trial court while deciding the case on merits.

JUDGE

Irfan Ali