IN THE HIGH COURT OF SINDH BENCH AT SUKKUR.
Crl. Bail Application No.S-803 of 2026.

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE

Applicant: Imtiaz Ali S/O Mubarak Ali Lashari
Through Mr. Muhammad Juman Sahito, Advocate.

The State: **Through Mr.Mansoor Ahmed Shaikh, D.PG.**

Date of hearing & order: **16.11.2026**.

Suresh Kumar J:- Through instant Criminal Bail Application, the applicant/accused Imtiaz Ali Lashari seeks pre arrest bail in Crime No.45/2026 for the Offences punishable U/Ss 376/511 PPC registered at Police station Kotdiji, District Khairpur.

2. The facts of the prosecution case, as depicted in the FIR, are that on 09.04.2026, the complainant, Mst. Zaheeran Lashari, lodged an FIR stating that on 02.03.2026, she, along with her daughter Rehana, was walking in their neighborhood when they reached near the house of Mst. Haneefan. There, the applicant/accused dragged her into the house and attempted to commit zina; however, she cried out, attracting the attention of witnesses, which caused the accused to flee.

3. The applicant/accused initially applied for grant of pre arrest bail which was dismissed, vide order dated 22-08-2026 by learned Additional Session Judge-IV (GBV) Khairpur. Being aggrieved by this dismissal order, the applicant/accused has approached this Court.

4. I have heard learned counsel for applicant/accused, and learned D.P.G Sindh assisted by complainant. Learned D.P.G, and complainant have strongly opposed the grant of bail to the applicant/accused.

5. Having given due consideration to the arguments advanced by the respective parties and having perused the material available on record, it

reveals from the perusal of the FIR that there is a delay of one month and seven days in lodging the FIR, for which no plausible explanation has been furnished by the complainant. Moreover, the complainant alleged in the FIR that the applicant/accused attempted to commit Zina with the complainant at the house of Mst. Haneefan; however, no statement under Section 161 Cr.P.C. of Mst. Haneefan has been recorded. Therefore, the case against the applicant/accused calls for further inquiry. The learned counsel appearing on behalf of the applicant/accused has pointed out that there is a dispute over land between the parties; thus, mala fides on the part of the complainant cannot be ruled out. Furthermore, after the grant of interim pre-arrest bail, the applicant/accused has joined the investigation and has been appearing before this Court and has not misused the concession of interim bail.

6. For the foregoing reasons, I am of the considered view that the applicant/accused has made out a case for grant of pre arrest. Consequently, interim pre arrest bail granted to the applicant/accused vide order dated 27.08.2026, is confirmed on same terms and condition with direction to the applicant/accused to appear before the I/O and trial Court as and when required.

7. Needless to say that the above observations are tentative in nature and will not prejudice the case of either party at the time of trial.

J U D G E

Hizbullah