ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.

Cr. Bail Appl. No.1183 of 2024

12.06.2024

Applicants in person.
Ms. Rubina Qadir DDPP for the State

O R D E R

MUHAMMAD IQBAL KALHORO J: Applicants Manzoor Ahmed and Muzafar Ali are seeking pre arrest bail in Crime No.104/2024 U/s 380, 457, 34 PPC of P.S. Bin Qasim, Karachi. They were admitted to ad-interim pre arrest bail vide order dated 29.05.2024 and today matter is fixed for confirmation of ad-interim pre arrest bail or otherwise.

2. Applicants are present. Complainant, who is their sister in law despite notice has not been found on the given address and is, therefore, absent. As per FIR, applicants are alleged to have committed theft from her house of Rs.400,000/-, gold bangles, one gold necklace and one gold head tikka, five ladies suits, two original files of Plot No.R-343, R-350 and one file of Flat No.4, Hyderabad Waqar Builders, and one battery. Complainant has stated that she had seen accused fleeing from the house.

3. I have heard applicants, who submit that actually there is a dispute over plots which are in the name of their mother but their sister in law/complainant is demanding the said plots to be transferred in her name. Learned DDPP for the State has opposed the bail on the ground that applicants are nominated in the FIR. Complainant is sister in law of the applicants but she has not disclosed this fact in FIR and although she has alleged to have seen them fleeing from her house but does not say that they were carrying stolen property. Thus, the case against the applicants requires further inquiry and their false implication on account of dispute over the property cannot be ruled out.

4. Accordingly, in view of above, this bail application is allowed and the interim pre arrest bail granted to the applicants is confirmed on the same terms and conditions.

The observations made hereinabove are tentative in nature and shall not prejudice the case of either party at trial.

The bail application is disposed of in the above terms.

J U D G E