

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD
Cr.B.A.No.S-1016 of 2020

DATE	ORDER WITH SIGNATURE OF JUDGE
------	-------------------------------

For orders on office objections.
For hearing of main case.

02.11.2019.

Mr. Mumtaz Alam Laghari, advocate along with applicant.
Ms. Sobia Bhatti, A.P.G for the State.

=

Irshad Ali Shah J;- It is alleged that the applicant with rest of the culprits abducted Ali Raza who happened to be son of complainant Wali Muhammad, for that the present case was registered.

2. The applicant on having been refused pre arrest bail by learned Model Criminal Trial Court-I, Hyderabad has sought for the same from this Court by way of instant application under Section 498 Cr.P.C.

3. It is contended by learned counsel for the applicant that the applicant is innocent. The very case on investigation once was disposed of by the police under "A-class" and no active role in commission of incident is attributed to the applicant. By contending so, he sought for pre-arrest bail for the applicant.

4. Learned A.P.G. for the State has opposed to grant of bail to the applicant by contending that the case is fresh one.

5. I have considered the above arguments and perused the record.

6. The FIR of the incident has been lodged with delay of about 12 days; such delay having not been explained plausibly could not be overlooked. The complainant in his further statement and by way of filing an affidavit before police has declared the applicant to be innocent. The very case on investigation once was disposed of by the police under "A-class". In these circumstances, the applicant is found entitled to grant of pre-arrest bail on point of malafide and further inquiry.

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

8. The instant bail application is disposed of accordingly.

JUDGE