

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD**

Criminal Bail Application No.S-999 of 2021

Applicant : Huzaifa Malik Son of Farhat Hayat Malik, through Mr. Zain ul
Abdin, Advocate.

Respondent : The State through Ms. Rameshan Oad, Assistant Prosecutor
General, Sindh.

Date of hearing : **22.11.2021**
Date of Order : **22.11.2021**

O R D E R

AMJAD ALI SAHITO, J:- Through the instant bail application, the applicant/accused above named seeks his pre-arrest bail in Crime No.34 of 2021, under sections 506/2, 114, 355, 343, 337-F(i), 504, 34 P.P.C, registered at P.S Islamkot, after his bail plea was declined by the learned Additional Sessions Judge-I, Tharparkar at Mithi vide order dated 10.08.2021.

2. The details and particulars of the F.I.R. are already available in the bail application and F.I.R., same could be gathered from the copy of F.I.R. attached with such application, hence needs not to reproduce the same hereunder.

3. Learned counsel for the applicant submits that applicant/accused is innocent and has falsely been implicated in this case. He further submits that all sections applied in the F.I.R are bailable exception section 506(2) P.P.C; therefore, requests for confirmation of interim pre-arrest bail.

4. Complainant present in Court and states that due to intervention of the Nekmards he has pardoned the applicant/accused in the name of Almighty ALLAH and raised no objection if his bail is confirmed.

5. Learned Assistant Prosecutor General, Sindh formally opposed the confirmation of interim pre-arrest bail.

6. I have heard learned counsel for the applicant as well as Assistant Prosecutor General, Sindh and have gone through the record available.

7. Since the sections applied in the F.I.R except section 506(2) P.P.C are bailable and it is yet to be determined at trial whether the applicant/accused threatened for dire consequences or not when the evidence will be recorded. Complainant present in Court

raised his no objection, therefore, instant bail application is allowed and the interim pre-arrest bail earlier granted to the applicant by this Court vide Order dated 03.11.2021, is hereby confirmed on the same terms and conditions. The applicant/accused is directed to attend the learned Trial Court regularly if he fails to appear the Trial Court would be at liberty to take actions against them in accordance with law.

7. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the learned Trial Court while deciding the case of the applicants on merits.

JUDGE

*Muhammad Danish**