

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

Criminal Bail Application No.S-294 of 2022

DATE	ORDER WITH SIGNATURE OF JUDGE
	1. For orders on office objections.
	2. For hearing of main case.

11.04.2022

Mr. Zeeshan Ali Memon, Advocate for applicants.

Ms. Sana Memon, A.P.G for the State.

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Irshad Ali Shah J:- It is alleged that the applicants in furtherance of their common intention after keeping PW Wajahat Hussain under wrongful restraint attempted to abduct him and then went away by committing criminal intimidation, for that the present case was registered.

2. The applicant on having been refused pre arrest bail by learned 2nd Additional Sessions Judge, Badin has sought for the same from this Court by way of instant application u/s 498 Cr.P.C.

3. It is contended by learned counsel for the applicants that the applicants being innocent have been involved in this case falsely by the complainant and FIR of the incident has been lodged with delay of about one day, therefore, the applicants are entitled to grant of pre-arrest bail on point of malafide.

4. Learned A.P.G. for the State has opposed to grant of pre arrest bail to the applicants by contending that they are fully implicated in commission of incident.

5. Heard arguments and perused the record.

6. The F.I.R of the incident has been lodged with delay of one day; such delay having not been explained plausibly could not be overlooked. No abduction has taken place. The case has finally been challaned. The applicants have joined the trial. In these circumstances, a case for grant of pre-arrest bail on point of malafide obviously is made out.

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

8. The instant bail application is disposed of accordingly.

JUDGE