

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH BENCH AT SUKKUR**

Crl. Bail Application No. S -341 of 2022

1. For Orders on office objection.
2. For Hearing of bail application

**26-12-2022.**

Mr. Haji Shamsuddin Rajper, advocate for applicant.

Mr. Shafi Muhammad Mahar, DPG for the State

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**Irshad Ali Shah, J;-** It is alleged that the applicant with rest of the culprits in furtherance of their common intention abducted Mst. Zareena and Mst. Malook Zadi with intention to subject them to rape or to get them marry with someone against her wishes, for that the present case was registered.

2. The applicant on having been refused post arrest bail by learned IVth Additional Sessions Judge Khairpur has sought for the same from this Court by way of instant Crl. Bail application under section 497 Cr.P.C.

3. It is contended by learned counsel for the applicant that the applicant being innocent has been involved in this case falsely by the complainant party; the FIR has been lodged with considerable delay and no final Challan of the case has yet been submitted by the police before the Court having jurisdiction. By contending so, he prayed for release of applicant on bail, on point of further inquiry. In support of his contention he has relied upon case of *Hazrat Amin Vs. the State and another* (2020 SCMR 418).

4. None has come forward to advance arguments on behalf of the complainant. However, learned DPG for the State has recorded no objection to release of the applicant on bail.

5. Heard arguments and perused the record.

6. The FIR of the incident has been lodged with considerable delay; such delay having not been explained plausibly could not be over looked. Mst. Zarina is said to have entered into free will marriage with co-accused Abdul Latif, while Mst. Malooka was produced by her husband before the police. Her 164 Cr.P.C statement; it does not contain the name of applicant. The applicant is said to be in custody since 11 months. In these circumstances a case for grant of bail to the applicant on point of further inquiry obviously is made out.

7. In view of above the applicant is admitted to bail subject to his furnishing surety in sum of Rs.50,000/- (Fifty thousand) and P.R bond in the like amount to the satisfaction of learned trial Magistrate/Court.

8. The instant Crl. Bail Application is disposed of accordingly.

Judge