

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
Cr. Bail Application No.S-524 of 2021

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

12.11.2021.

Applicants are present on interim pre-arrest bail.
Mr. Shahzad Saleem Nahiyoan, Additional P.G.

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MUHAMMAD IQBAL KALHORO, J,- Applicants are present, their Counsel has however chosen to remain absent. The applicants have been heard in person, who submit that they have been implicated in this case on account of a dispute on land regarding which civil litigation between them and complainant is pending. Co-accused nominated in FIR have been granted permanent bail by the trial Court. The allegations against the applicants as per FIR are that on the day of incident they occupied the agricultural land and caused fist and kick blows to the complainant party and then applicant Muhammad Saleem set hedge of the house of complainant on fire.

2. Learned Additional Prosecutor General submits that prima facie the case against the applicant is of further inquiry and there is no medical evidence of blows sustained by the complainant party. Per him, the parties are at odds on account of dispute over the agricultural land, as such he does not oppose bail of the applicants and submit that their custody in view of above facts and circumstances is not required. Prima facie the evidence against the applicants is sketchy, the parties are already in the Courts on account of civil litigation over the said land where incident took place and is alleged to have been occupied by the applicants. In such circumstances, their false implication cannot be ruled out. Accordingly, this bail application is allowed and ad-interim pre-arrest bail already granted to the applicants vide order dated 28.06.2021 is hereby confirmed on same terms and conditions as contained in the said order.

JUDGE

