

ORDER SHEET

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Crl. Bail Application No.S-513 of 2023

(Muhammad Ali & another Vs. The State)

For hearing of Bail Application

17-10-2023.

Mr. Ghulam Shabbir Soomro, advocate a/w applicants.

Mr. Shafi Muhammad Mahar, Deputy P.G for the State.

Mst. Shumaila, complainant present in person.

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Irshad Ali Shah, J;- It is alleged that the applicants with rest of the culprits by making trespass into house of complainant Mst. Shaumaila, committed theft of her gold ornaments and other belongings, for that the present case was registered.

2. The applicants on having been refused Pre-Arrest bail by learned Vth Additional Sessions Judge, Sukkur, have sought for the same from this Court by way of instant bail application under Section 498-A Cr.P.C.

3. Heard arguments and perused the record.

4. The FIR of the incident has been lodged with the delay of about 17 days; such delay having not been explained plausibly could not be over looked; it is reflecting consultation and deliberation. The offence alleged against the applicants is not falling within the prohibitory clause. The case has finally been challaned. There is no apprehension of absconsion or tempering with the evidence on the part of the applicants. Moreso, the complainant in person and learned DPG for the State has also recorded no objection to grant of pre-arrest bail to the applicants. In these circumstances a case for grant of pre-arrest bail to the applicant on point of malafide is made out.

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

6. The instant bail application is disposed of accordingly.

JUDGE

