

ORDER SHEET

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Crl. Bail Application No.S-302 of 2022

(Haji Nawaz @ Muhammad Nawaz & others Vs. The State)

For hearing of Bail Application

23-10-2023.

Mr. Muneer Ahmed Brohi, advocate for the applicants.
Mr. Daman Ali Laghari, advocate for the complainant.
Mr. Shafi Muhammad Mahar, Deputy P.G for the State.

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Irshad Ali Shah, J;- It is alleged that the applicants with rest of the culprits committed mischief by setting hut of the complainant on fire thereby 120 mounds of wheat, cots and bed of the complainant party caught fire and sustained damage, for that the present case was registered.

2. The applicant on having been refused Pre-Arrest bail by learned Additional Sessions Judge, Mirwah, has sought for the same from this Court by way of instant bail application u/s 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 19 days; such delay having not been explained plausibly could not be over looked; the parties are already disputed over landed property; the case has finally been challaned; the applicants have joined the trial; there is no allegation of misusing the concession of interim pre-arrest bail on their part. In these circumstances a case for grant of pre-arrest bail to the applicants on point of consistency and malafide is made out.

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

6. The instant bail application is disposed of accordingly.

Judge

Nasim/P.A.