

ORDER SHEET

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Crl. Bail Application No.S-480 of 2023

(Hameed Chandio & others Vs. The State)

For hearing of Bail Application

30-10-2023.

Mr. Falak Sher Sandilo, advocate for the applicants.

Mr. Khalil Ahmed Maitlo, Deputy P.G for the State.

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Irshad Ali Shah, J;- It is alleged that the applicants committed theft of motorcycle of the complainant and then refused to return the same even after acceptance of Bhung money, for that the present case was registered.

2. The applicants on having been refused pre-arrest bail by learned IIIrd Additional Sessions Judge, Khairpur, 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 delay of about 04 days, such delay having not been explained plausibly could not be over looked; the offence alleged against the applicants is not falling within prohibitory clause of section 497 Cr.P.C. The case has finally been challaned and applicants have joined the trial. There is no likelihood of absconsion or tempering with the evidence on the part of the applicants. In these circumstances, a case for grant of pre-arrest bail to the applicants on point of further inquiry and malafide obviously is made out.

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

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

Judge

Nasim/P.A