

ORDER SHEET
IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR
Crl. Bail Application No. S-892 of 2023
(*Gajan Kosh Vs. The State*)

1. For Orders on MA No. 7562/2023 (Ex./A)
2. For hearing of Bail Application

22-01-2024.

Mr. Badaruddin Memon, advocate a/w the applicant.
Mr. Shafi Muhammad Mahar, DPG PG for the State.

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It is alleged that the applicant with rest of the culprits after having formed an unlawful assembly and in prosecution of its common object not only fired at PW Sadam Hussain with intention to commit his murder but caused hatchet and lathi injuries to complainant Nasir Hussain for that the present case was registered.

The applicant on having been refused pre-arrest bail by learned Additional Sessions Judge/ (MCTC), Ubauro has sought for the same from this Court by way of instant bail application under section 498-A, Cr.P.C.

Heard arguments and perused record.

The firing has proved to be ineffective one. The hatchet and lathi injuries sustained by the complainant are not falling with the prohibitory clause. The parties are already disputed over landed property. The case has finally been challaned. Co-accused Pehlwan and four others have already been admitted to pre-arrest bail by this Court. The applicant has joined the trial and there is no allegation of misusing the concession of interim pre-arrest bail on his part. In these circumstances a case for grant of pre-arrest bail to the applicant on point of further inquiry and malafide is made out.

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

Instant Bail Application is disposed of accordingly.

Judge

Nasim/P.A