

ORDER SHEET

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Crl. Bail Application No.S- 754 of 2023

(Qalandar Bux Gilal Vs. The State)

1. For orders on office objection.
2. For Orders on MA No. 6534/2023 (Ex./ A)
3. For hearing of Bail Application

22-01-2024.

Mr. Ghulam Murtaza Korai, Advocate a/w the applicant.

Mr. Shafi Muhammad Mahar, DPG for the State.

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It is alleged that the applicant with rest of the culprits abducted Mst. Maira to get her marry with someone else against her wishes or to subject her to rape, for that the present case was registered.

The applicant on having been refused pre-arrest bail by learned IVth Additional Sessions Judge / Gender Based Violence Court, Khairpur has sought for the same from this Court by way of instant bail application u/s 498-A, Cr.P.C.

Heard arguments and perused record.

The FIR of the incident has been lodged with delay of about 09 days, yet it does not contain the name of the applicant; it was disclosed subsequently by the complainant by way of further statement. The further statement could hardly be treated as part of the FIR. Mst. Maira, it is said has married of her own accord with co-accused one after other, which prima-facie creates doubt with regard to involvement of the applicant in commission of incident. 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 applicant is confirmed on same terms and conditions.

Instant Bail Application is disposed of accordingly together with listed application.

Judge

Nasim/P.A