

**Order Sheet**  
**IN THE HIGH COURT OF SINDH,**  
**BENCH AT SUKKUR**

Crl. Bail Application No.S- 454 of 20232

Date of hearing	Order with signature of Judge.
-----------------	--------------------------------

**Hearing of Bail Application**

**11-08-2023**

Applicants are present on interim bail.  
Mr. Shafi Muhammad Mahar, Deputy P.G for the State.

**ORDER**

**MUHAMMAD IQBAL KALHORO, J.-** Applicants' counsel Mr. Saeed Ahmed B. Bijarani is called absent; however, Mr. Raz Ali Bijarani, Advocate is holding brief on his behalf and with his assistance, I have read the FIR and relevant police papers.

2. FIR has been registered by a watchman of Government Girls Elementary School Ubauro-Ghotki, from which on the night between 6/7.05.2023, theft of different articles, including dry batteries, inverter and electric water cooler, was committed, when he was not present on his duty on account of disease of Asthma. Next date, he found footprints and prints of tyres of one Rickshaw which led to the houses of applicants. He approached them and demanded return of the articles, but when applicants did not do so, he appeared at P.S and registered FIR on 19.05.2023 with delay of almost 13-days.

3. Except a word of complainant, no further material has been collected by the I.O and mentioned in the Challan. Apparently, Challan has been submitted without any investigation. *Prima facie*, no report of

matching of footprints on the spot with the applicants' feet etc. is available for appreciation. Role of complainant himself, who was absent from duty on the relevant night without any apparent reason, is also suspicious which has not been properly investigated. Case for pre-arrest bail is made out and this is the reason, learned Deputy P.G has recorded no objection.

4. Accordingly, this bail application is **allowed** and the interim pre-arrest bail earlier granted to applicants by this Court is confirmed on the same terms and conditions.

5. The observations made hereinabove are tentative in nature and shall not influence the trial court while deciding the case on merits.

**JUDGE**