

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

Crl. Bail Application No.S- **182** of 2023

Date of hearing	Order with signature of Judge.
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For hearing of Bail Application.

Mr. Qurban Ali Shar, Advocate along with applicant.  
Mr. Shafi Muhammad Mahar, Deputy P.G for the State.  
Mr. Mumtaz Ali Naich, Advocate has filed power on behalf of complainant.

Date of Hearing & Order: **25-09-2023**

**ORDER**

**MUHAMMAD IQBAL KALHORO, J.-** Complainant has alleged that on the night of incident i.e. 08.03.2023 at 0100 hours, when he returned to his house after attending a marriage ceremony, he saw applicant and other co-accused, named in FIR, taking away his motorcycle CD-70. Hence, FIR.

2. Learned counsel for applicant submits that applicant and complainant are co-villagers; there is a dispute over a plot between the parties; the motorcycle was recovered from co-accused Nawab and applicant has nothing to do with it.

3. Complainant's counsel, who has filed power today, has opposed bail on the ground that applicant is nominated in FIR. However, learned DPG does not support the impugned order on the ground that story does not appeal to common sense in that four accused escaped on one motorcycle is hardly possible.

4. In any case, the case has been challaned and the recovery has been effected from other co-accused not from the applicant, who is a co-villager of complainant and allegedly with whom he has a dispute over a plot, hence, his i.e. applicant's false implication cannot be ruled out.

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

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

**JUDGE**

Ahmad