

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

**Cr. Bail Appln. No. S – 165 of 2024**

*(Inayatullah Mirani vs. The State )*

**Hearing of bail application**

1. For orders on office objections
2. For hearing of bail application

**Date of hearing & Decision : 03.05.2024**

Mr. Muhammad Ayaz Shaikh, Advocate for Applicant  
Mr. Dareshani Ali Haider 'Ada', Deputy Attorney General for Pakistan along with Inspector Noor Muhammad Bhayo, SHO Police Station, Railways Rohri.

**ORDER**

**Muhammad Iqbal Kalhoro, J**;- Applicant was arrested by complainant / Gangman while manipulating and untying fishplates from railway line near Railway Yard Rohri, an offence under Section 126 of Pakistan Railways Act, punishable with death or imprisonment for life. When such information was communicated to SHO Police Station, Railways Rohri, he came on the spot and arrested the applicant. Hence, FIR.

2. Learned counsel in defence has argued that applicant is innocent and has been falsely implicated in this case and that the incident is unseen. His arguments have been rebutted by learned DAG as well as SHO Police Station, Railways, who is present in person. No case for bail is made out as the applicant was caught at the spot by the railway officials with whom he has no ill will or enmity to implicate him in this case. As per learned DAG, theft of fishplates would have resulted in some fatal accident. But because

of timely action, the incident was averted. It is further stated that applicant has criminal history of being involved in similar cases.

3. In view of above facts and grounds when applicant is *prima facie* involved in the case, this bail application is **dismissed**. However, the trial Court is directed to expedite the trial and record evidence of the witnesses in three months. After three months, applicant would be at liberty to move fresh application before the trial Court for same relief. If he files such application, the same however be disposed of in accordance with law. The observations made herein above are tentative in nature and shall not influence the trial court while deciding the case on merits.

Judge

ARBROHI