

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Criminal Bail Application No. 2829 of 2023
(Muhammad Haseeb v. The State)

Date	Order with signature of Judges
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1. For orders on office objection (Flag A)
2. For hearing of bail application

13.05.2024

Mr. Muhammad Nasir, advocate for the applicant
Mr. Mumtaz Ali Shah, Assistant Prosecutor General for the State

It is alleged that the applicant with the rest of the culprits in furtherance of their common intention maltreated complainant Hamad Hussain, for which the present case was registered.

The applicant having been refused bail by learned IVth-Additional Sessions Judge, Karachi, East, has sought the same from this Court by making the instant bail application under section 498 Cr.P.C.

Heard arguments and perused the record.

The FIR of the incident has been lodged with a delay of about five days; such a delay could not be overlooked. There is a general allegation. The offence alleged against the applicant does not fall within the prohibitory clause of Section 497(2) Cr.P.C. The parties are in dispute over matrimonial affairs. The case has finally been challaned and there is no allegation of misusing the concession of interim pre-arrest bail on the part of the applicant. In these circumstances, a case for grant of pre-arrest bail to the applicant on the point of further inquiry and malafide is made out.

Under given circumstances, the interim pre-arrest bail already granted to the applicant is confirmed on same terms and conditions.

Instant bail application is disposed of accordingly.

J U D G E