

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Crl.B.A.No. S – 33 of 2024

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

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30-01-2024.

Mr.Manzoor Hussain Narejo Advocate alongwith applicants.

Mr.Sardar Ali Shah Addl.P.G.

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ORDER.

ZULIFQUAR ALI SANGI, J- Applicants Rafique, Ali Hyder shown in FIR as Mueen Akhtar and Mst.Ajman have sought pre-arrest bail in Crime No. 101/2023 of Police Station, Pir-Jo-Goth, District Khairpur, registered under sections 302, 337-J, PPC. The applicants were granted interim pre-arrest bail by this Court vide order dated 16.01.2024 and today their bail application has come-up for confirmation or otherwise.

2. Earlier the bail applications of the applicants were dismissed by the learned Additional Sessions Judge-II, Khairpur vide order dated 27.11.2023. The applicants have therefore approached this Court with the same prayer.

3. Since the facts of the prosecution case have already been mentioned in the bail order as well as in the memo of bail application, therefore there is no need to repeat the same.

4. Learned counsel for the applicant has contended that the applicants has been falsely implicated in the case with malafide intention and ulterior motive. He further contended that the main co-accused Mehar, who has administered the poison to the deceased, has already been granted bail by the

learned trial Court vide order dated 17.11.2023 and the only allegation against the present applicants is that they had caught-hold the deceased. He prays for confirmation of interim pre-arrest bail already granted to the applicants.

5. Learned Addl.P.G has conceded for confirmation of interim pre-arrest bail already granted to the applicants by contending that the case of the present applicants is on better footing to that of co-accused, who has already been granted bail by the learned trial Court.

6. I have heard the learned counsel for the applicant and learned Addl.P.G appearing on behalf of the State and I have also gone through the material available on record with their able assistance.

7. Since the main co-accused Mehar against whom the allegation was that he administered poison to the deceased has already been granted bail by the learned trial Court, the case of present applicants is on better footing to that of co-accused as the allegation against them is that they caught-hold the deceased, therefore the applicants are also entitled for confirmation of interim pre-arrest bail. Consequently, this bail application is allowed and interim pre-arrest bail already granted to the applicants Rafique, Ali Hyder and Mst.Ajman is hereby confirmed on same terms and condition.

Cr.B.A.No. S – 33 of 2024 stands disposed of in above terms.

JUDGE

Akber.

