

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
 CrI. Bail Application No. S -73 of 2024
(Ghulam Mustafa and another Vs. The State)

1. For Orders on MA No. 617/2024 (Ex./A).
2. For hearing of bail application.

19-03-2024.

Mr. Shabbir Ali Bozdar advocate for the applicants.
 Mr. Zulfiquar Ali Jatoi, Additional P.G for the State.

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Irshad Ali Shah, J;- It is alleged that the applicants with rest of the culprits by making trespass into the house of complainant party abducted Mst. Shaista the daughter in law of complainant Muhammad Umar with intention to subject her to rape or to get her marry with someone against her wishes, for that the present case was registered.

The applicants on having been refused post-arrest bail by learned IInd Additional Sessions Judge, Mirpur Mathelo have sought for the same from this Court by way of instant bail application u/s 497, Cr.P.C.

It is contended by learned counsel for the applicants that the applicants being innocent have been involved in this case falsely by the complainant party, otherwise they have nothing to do with the alleged incident; therefore, they are entitled to be released on bail on point of further inquiry, which is opposed by learned Addl. PG for the State by contending that the offence alleged against the applicant is affecting the society at large.

4. Heard arguments and perused the record.
5. The FIR of the incident has been lodged with delay of about two days, such delay having not been explained plausibly by the complainant party could not be over looked. Mst. Shaista the alleged abductee it is said has married of her own accord with co-accused Shahid alias Saeed. On investigation, the applicants have been found innocent by the police. There is no likelihood of absconsion or tampering with the evidence on their part. In these circumstances, a case for release of the applicants on bail on point of further inquiry is made out.

6. In view of above, the applicants are admitted to bail subject to their furnishing surety in sum of Rs.100,000/- (One lac) each and PR bond in the like amount to the satisfaction of learned trial Court.

7. The instant bail application is disposed of accordingly.

Judge

Nasim/P.A