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ORDER-SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA
Crl. Bail Appln. No. S- 305 of 2012.

Date of hearing	Order with signature of Judge
06.11.2012.	

1. For order on office objection.
2. For hearing.

Mr. Athar Abbas Solangi, Advocate for applicants.
Miss. Shazia Surahyo, State Counsel.

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The applicants/accused Ghulam Rasool and Javed are present alongwith their counsel. Learned counsel for applicants contended that case has proceeded before the Court of learned Civil Judge and Judicial Magistrate, Dokri, where applicants/accused have not been implicated by the complainant and complainant Abdul Ghaffar has been declared as hostile. He has further contended that PW/Mashir Allahdino has also not implicated the accused; he was also declared hostile. It is further submitted that both the accused are father and son inter-se. Complainant had lodged F.I.R against the applicants with ulterior motives. Alleged offence does not fall within prohibitory clause of section 497 Cr.P.C. case is already challaned. Serious malafides against the police are also alleged.

Learned State Counsel recorded no objection to the confirmation of interim pre arrest bail already granted to the applicants/accused.

In the above stated circumstances, when the complainant and Mashir in their evidence have not implicated the applicants/accused in the commission of offence; both the applicants are father and son inter-se; serious malafides have been alleged against the police; alleged offence does not fall within prohibitory clause of section 497 Cr.P.C and learned State Counsel has recorded no objection, I therefore, hold that the applicants have made out a case for ~~grant~~ <sup>Pre-arrest</sup> of bail; resultantly interim pre

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Pre-arrest

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arrest bail already granted to the applicants, vide order dated 29.06.2012, is hereby confirmed on same terms and conditions. The applicants/accused shall continue to appear before the trial Court.

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6.11.2012  
Judge