

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Bail Application No.S-878 of 2024

DATE	ORDER WITH SIGNATURE OF JUDGE
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**26.09.2024**

Mr. Ishrat Ali Lohar, Advocate for applicant.

Ms. Rameshan Oad, A.P.G. for the State along-with Circle Officer ACE Dadu Fayyaz Bhurt and Assistant Director Legal Jamal Rajput who filed report taken on record.

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**ZULFIQAR ALI SANGI, J.-** Through instant Criminal Bail Application applicant Rehmatullah Solangi seeks post-arrest bail in Crime No.01 of 2024 registered at P.S. ACE Dadu under sections 465, 467, 468, 471, 420, 34 P.P.C r/w section 5(2) Prevention of Corruption Act-II of 1947.

2. The allegations against the present applicant along-with his accomplices are that fake entry in respect of subject land was made in the record of rights, hence after conducting inquiry instant FIR was registered.

3. The bail application has been sought only on the ground that there is delay in registration of FIR and offence for which applicant is involved punishable upto 10 years and while deciding bail application lesser punishment is to be considered; that no any loss has been caused to the Government Exchequer or the private person(s), therefore, applicant is entitled for grant of bail. He has relied upon the cases of Naseem Abbas Shah Vs. The State and others [2020 P Cr. L J 164], Karamat Ali Vs. The State and another [2017 P Cr. L J Note 12] and Abdul Aziz Qazi, National Accountability Bureau through Chairman, Islamabad and 2 others [2012 M L D 777] and unreported order passed in Criminal Bail Application No.S-318 of 2012 dated 21.01.2013.

4. Learned APG opposed the bail on the ground that during inquiry and investigation sufficient material has been collected against the applicant which connects him with the commission of alleged offence and same is punishable upto 10 years which falls within the ambit of prohibitory clause of section 497 Cr.P.C, therefore, applicant is not entitled for grant of bail.

5. I have heard learned counsel for applicant, learned APG along-with Inspector Fayyaz Bhurt and perused the material available on record.

6. In the present case it is admitted by the investigating officer present in Court that the alleged entries were cancelled and loan has been paid thereby no loss to the Government Exchequer or the private person(s) has been caused due to act of present applicant. The offence for which applicant is allegedly involved carries punishment which starts from 0 to 10 years and the quantum of sentence is to be decided by the trial Court after recording evidence. Under these circumstances, the case requires further inquiry, result thereof, this bail application is allowed and the applicant is admitted to post-arrest bail subject to his furnishing solvent surety in the sum of Rs.100,000/- and PR bond in the like amount to the satisfaction of Trial Court.

7. The observations made hereinabove are tentative and would not influence learned Trial Court at the time of deciding the case as the same are only for deciding this bail application.

JUDGE