

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

Criminal Bail Application No.S-921 of 2024

DATE ORDER WITH SIGNATURE OF JUDGE

04.10.2024

Mr. Jahanzeb Laghari advocate along with applicants.
Mr. Heman Das S. Sanghani advocate for complainant. His vakalatnama taken on record.
Mr. Shawak Rathore, D.P.G.

ZULFIQAR ALI SANGI, J.- Through this bail application, applicants seek pre-arrest bail in Crime No.126/2024 registered at P.S. Badin U/s 392, 324, 120-B & 35 PPC after their bail was declined by the Sessions Judge Badin vide order dated 15.08.2024.

2. The contents of FIR need not to be reproduced as the same are already mentioned in the memo of bail application.

3. Bail is sought only on the ground that the applicants are not nominated in FIR and they were booked in 162 Cr.P.C statement of complainant recorded on 25.06.2024 after a delay of 11 days, therefore, their case requires further inquiry.

4. Counsel for complainant sought rejection of bail application on the ground that though the names of applicants are not given in the FIR however sufficient material during investigation has been collected against them, therefore, they are not entitled for pre-arrest bail.

5. However, learned DPG after going through the FIR and 162 Cr.P.C. statement of complainant conceded for confirmation of interim pre-arrest bail already granted to the applicants.

6. Heard learned counsel for the applicants, complainant and DPG and perused the material available on record.

7. From perusal of material available on record, it reveals that the applicants are not nominated in FIR and are booked in 162 Cr.P.C statement by complainant wherein no role has been assigned against them. Even the fact that how the complainant came to know about the involvement of the present applicants is missing in 162 Cr.P.C statement. All these facts coupled with the no objection of DPG make the case of applicant to be one of further inquiry.

8. Under such circumstances, the bail application is allowed and the interim pre-arrest bail already granted to the applicants vide order dated 22.08.2024 is confirmed on the same terms and conditions.

JUDGE

Ali Haider