

**ORDER SHEET**

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA.**

Cr. Misc. Appln. No.S- 386 of 2023.

DATE OF HEARING	ORDER WITH SIGNATURE OF HON'BLE JUDGE
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- 1.For orders on office objection as flag A.
- 2.For hearing of main case.

**21.04.2025.**

None present for the applicant.

Mr. Aitbar Ali Bullo, D.P.G.

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None present applicant. No intimation is furnished. Same was the position on the last date of hearing.

By this application, complainant is seeking cancellation of bail granted to the accused/respondents No.1 and 2 by learned Trial Court vide orders dated 21.8.2023 and 15.9.2023 in Crime No.46 of 2023 of P.S Mouladad District Jacobabad under Section 365-B PPC.

Details and particulars of the FIR are already available in the memo of instant application and same can also be gathered from the copy of FIR attached with the application, hence need not to reproduce the same hereunder.

In the application, it is contended by learned counsel for the applicant that accused/respondents No.1 and 2 have been nominated in the FIR with specific role of kidnapping Mst.Naheed who in her 161 Cr.P.C statement also implicated them, yet learned trial Court has granted bail to them which is liable to be cancelled.

On the other hand, learned D.P.G opposed the application.

Perusal of record reveals that one of alleged abductees Mst.Naseeman filed affidavit before trial Court denying abduction of Mst.Naheed as alleged in the instant FIR and claimed the FIR has been lodged by her brother/complainant falsely. Besides the J.I.T reported that the recovery of alleged abductee Mst.Naheed was not effected from custody of any accused therefore, her subsequent statement implicating accused/respondents No.1 and 2 in the commission of crime appears to be questionable. Admittedly the FIR is also delayed by one and half days without plausible explanation. Only on all these aspects of the case, prosecution case

against the accused/respondents No.1 and 2 calls for further enquiry therefore, impugned order passed by learned trial Court granting bail to the accused/respondents No.1 and 2 does not call for any interference by this Court. Resultantly instant criminal miscellaneous application is dismissed. However, learned Trial Court is directed to expedite the matter and conclude the trial within 60 days.

**JUDGE**

Shabir/P.S