

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

Criminal Bail Application No.S-201 of 2020.

| DATE | ORDER WITH SIGNATURE OF JUDGE |
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| | For orders on M.A. No.1771/2020. For hearing of main case. |

10-04-2020

Mr. Ali Akbar Lakho, advocate for the applicants.

Mr. Atif ImranKhuwaja, advocate holds brief for Mr. Haji Khan Hingorjo, advocate for the complainant.

Mr. Nazar Muhammad Memon, Additional Prosecutor General.

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Allegation against applicants is that they had set ablaze the Government Primary School Samano constructed on the land of complainant on 01.02.2020 at 2200 hours. In the FIR the complainant has stated that he had identified the applicants in the light of torch when they were leaving the place of incident on motorcycles.

Learned defence counsel submits that complainant is on inimical terms with the applicants as in the past he had got registered so many FIRs against them and on the very land there is a civil litigation pending before the Civil Court at Sanghar between the parties.

Complainant's counsel is not present and on his behalf Mr. Atif Imran Khuwaja is holding brief. He and learned Additional P.G.have opposed the bail to the applicants.

Heard.Identification of the applicants is shown on torch light, which needs determination.Further, it has not been denied that prior to this case complainant also lodged many criminal cases against the applicants and there is a civil litigation pending between the parties over the land.In the circumstances,false implication of the applicant in the case cannot be ruled out particularly when no one from the Education Department has come forward to support the case in a manner as stated in the FIR. Accordingly, this criminal bail application is allowed

and ad-interim pre-arrest bail granted to the applicants vide order dated 27.02.2020 is confirmed on the same terms and conditions. The trial Court is directed to conclude the trial expeditiously within a period of four (04) months and submit such compliance report.

The observations made hereinabove are tentative in nature and shall not influence the trial Court while deciding the case on merits.

JUDGE

Irfan Ali