

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA

Crl. Bail Application No. S-320 of 2025

Applicants:	1). Jalaluddin s/o Atta Muhammad 2). Buxial Khan s/o Jalaluddin Chandio Through Mr. Noor Hussain Jatoi, Advocate
Respondent:	The State Through, Mr. Nazir Ahmed Bhangwar, Deputy Prosecutor General, Sindh.
Date of hearing:	24-07-2025
Date of order:	24-07-2025

ORDER

Khalid Hussain Shahani, J.- Through the instant Criminal Bail Application, the applicants named above seek pre-arrest bail in a case bearing Crime No.177/2025, Police Station, Mehar, offence under Section 353, 506/2 PPC, after their bail plea was turned down by learned II-Additional Sessions Judge, Mehar, vide order dated 14.06.2025.

2. The details and particulars of the First Information Report (F.I.R.) are already available within the bail application, and the same can be ascertained from the copy of the F.I.R, attached to the application. Therefore, it is not necessary to reproduce them in detail herein.

3. Learned counsel for the applicants contends that the applicants are innocent and have been falsely implicated in the present case by the complainant due to enmity. He further submits

that there is general allegation against all the accused and no specific role has been assigned to the present applicants. He also submits that all the Sections are bailable except 506/2 PPC which is yet to be determined after recording evidence whether the applicants have issued threats or not, therefore, the case of applicants calls for further inquiry.

4. Learned Deputy Prosecutor General, Sindh, has conceded the above arguments of learned counsel for the applicants.

5. It is case of issuance of threats, therefore, it is yet to be determined at the time of trial, whether the applicants have issued threats for dire consequences and the ingredients of such section attract to the present case. The Section 353 PPC is bailable and it is settled law that in a case not falling under section 497 (1) Cr.PC, the bail is rule and refusal is an exception. Moreover, learned D.P.G for the State has conceded the arguments of learned counsel for the applicants.

6. In the light of above, prima facie the applicants have succeeded to make out a case for bail. Accordingly, the interim bail already granted to the applicants on 17.06.2025 is confirmed on the same terms and conditions. Applicants to join the investigation/trial.

J U D G E

Asghar Altaf/P.A