

4269

SUPREME COURT OF PAKISTAN

(Appellate Jurisdiction)

PRESENT:

Mr. Justice Jamal Khan Mandokhail
 Mr. Justice Muhammad Ali Mazhar
 Mr. Justice Syed Hasan Azhar Rizvi

Criminal Petition No.202-K of 2022

[Against the order dated 14.11.2022, passed by the High Court of Sindh Bench at Sukkur in Crl.B.A.Nos.222, 225 & 226 of 2022]

Muhammad Yousif.*...Petitioner (s)****Versus******The State.****...Respondent(s)*

For the Petitioner(s)

: Mr. Nisar Bhambhro, ASC along
 with
 Petitioner in person

For the Respondent(s)

: Mr. Hussain Bux Baloch,
 Additional Prosecutor General,
 Sindh
 Anwar Ali Abro, SHO, P.S. B-
 Section, Khairpur
 Ali Bux, I.O

Date of Hearing

: 26.12.2022


ORDER

Jamal Khan Mandokhail, J:- The petitioner along with the co-accused was nominated in the FIR No.14 dated 01.02.2022, registered under Sections 324, 109 and 34 PPC, at Police Station B-Section, Khairpur, with a specific role of firearm injuries. All the accused moved an application for the grant of pre-arrest bail before the trial Court, which was declined. The petitioner and the co-accused approached the High Court. The co-accused were granted bail, but the petitioner was not granted the pre-arrest bail, hence this petition.

2. Arguments heard and have perused the record. On a tentative assessment of the material, the petitioner has been nominated in the FIR with a specific role of causing firearm injury at the vital part of the injured. The statements of the witnesses recorded under Section 161 Cr.P.C., *prima facie*, support the prosecution version on the fact that the petitioner was the main accused. The learned counsel for the petitioner alleged that because of a property dispute between the parties, the petitioner has been *malafidely* involved in the case. The plea raised by the learned counsel for the petitioner got no support from the record, to believe that there is a false implication of the petitioner. We see no ground for allowing the application for the grant of pre-arrest bail. The learned counsel for the petitioner has not been able to point out any illegality or irregularity in the order impugned, calling for interference by this Court.

4. Thus, in view of the above, leave is declined and the petition is dismissed.


JUDGE


JUDGE

JUDGE

Bench
Karachi
26.12.2022
NOT APPROVED FOR REPORTING
Rabbani*/

