

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH BENCH AT SUKKUR**  
**CrI. Bail Application No. S- 348 of 2022**

<b>Date of hearing</b>	<b>Order with signature of Judge</b>
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**30-01-2023**

1. For orders on office objections.
2. For Hearing of Bail Application

Mr. Ali Raza Kalwar, Advocate along with applicant.  
Mr. Liaquat Ali Malano, Advocate for the complainant.  
Mr. Shafi Muhammad Mahar, Deputy P.G for the State.

**ORDER**

**ZAFAR AHMED RAJPUT, J.-** Through instant application, applicant / accused Muhammad Hassan s/o Muhammad Ibrahim Kalwar seeks pre-arrest bail in Crime / FIR No. 222 of 2022 registered under Section 489-F PPC at P.S, A-Section, Ghotki. His earlier Cr. Bail Application bearing No. 1006 of 2022 was heard and dismissed by the learned Additional Sessions Judge-II, Ghotki vide order, dated 13.07.2022. The applicant was admitted to interim pre-arrest bail by this Court vide order, dated 20.07.2022, now the same is fixed for confirmation of the same or otherwise.

2. Heard learned counsel for the parties and perused the material available on record. The alleged offence being punishable with imprisonment up to three years does not falls within prohibitory clause of Section 497, Cr. P.C and ordinarily in such like cases the basic rule is bail not jail. No purpose would be served in case the applicant is kept behind the bars. It is also an admitted position that after grant of interim pre-arrest bail by this Court, the applicant has not misused such concession and he is attending the trial Court regularly.

3. In view of the above, interim pre-arrest bail earlier granted to the applicant by this Court, vide order dated 20.07.2022, is hereby confirmed on same terms and conditions.

4. Needless to mention here that the observations made herein-above are tentative in nature and would not influence the trial Court while deciding the case of applicant on merits and if the applicant in any manner tries to misuse the concession of bail, it would be open for the trial Court to cancel the same after issuing him the requisite notice.

The instant Crl. Bail Application stands **allowed** in above terms.

**J U D G E**

*Ahmad*