

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

Cr. Bail Application No.S- 649 of 2023

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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27.11.2023.

Mr. Muhammad Shafique Khan, Advocate for applicant
alongwith applicant (on bail).

Ms. Sana Memon, A.P.G for State.

ORDER

Mohammad Karim Khan Agha, J.- The applicant Abid Iqbal was booked in Crime No.155/2023 registered at Police Station A-Section Latifabad, Hyderabad in respect of the offence u/s 3/4 P.E.H.O, 1979 and currently the trial is pending before the Court of Civil Judge & Judicial Magistrate-X, Hyderabad. The applicant had applied for pre-arrest bail which was recalled vide order dated 12.06.2023. Hence the applicant has approached this Court for pre-arrest bail.

2. The brief facts of the case as per contents of FIR are that the police saw two persons in suspicious condition who had a large quantity of liquor in their possession. When the police attempted to arrest these two persons they arrested one Asghar Ali at the spot whereas second person namely the applicant made his escape good. The applicant was later on implicated on the statement of his co-accused Asghar Ali.

3. I have heard the arguments of the parties and perused the record. Learned A.P.G did not oppose the grant of bail. The alleged accused who was arrested on spot namely Asghar Ali has already been granted post arrest bail by the concerned trial Court. The applicant was involved in this case on the statement of co-accused which is of no evidentiary

value against him in the eyes of law. He was not arrested at spot and no identification parade has been carried out. The offence with which the applicant stands charged is a bailable offence.

Under these circumstances, I find that the applicant has made out a good case for grant of pre-arrest bail and accordingly the interim pre-arrest bail already granted to the applicant is hereby confirmed on same terms and conditions.

5. Pre-arrest bail application is disposed of in above terms.

JUDGE

Tufail