ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Crl. Bail Application No. 647 of 2023

Date **Order with signature of Judge**

For hearing of bail application.

17th July 2023.

Mr. Dur Muhammad Shah, advocate for applicant/accused.
Mr. Talib Ali Memon, APG.

Applicant/accused seeks post-arrest bail in FIR No.263/2022 registered at Police Station Eidgah, Karachi for offences punishable under Section 489-F PPC.

Admittedly, applicant [Rafiq Gulzar] is behind the bar for about five months; offence is punishable upto three years, which is not falling within the prohibitory clause; outstanding amount, as claimed by the complainant, is Rs. 200,000/-; yet trial is to be commenced. As such, in the case of *Tariq Bashir v. State* (PLD 1995 Supreme Court 34) it is held that if case is not falling within prohibitory clause, grant of bail is a rule and its refusal is an exception. Accordingly, applicant/accused is admitted to post arrest bail subject to furnishing his solvent surety in the sum of Rs.50,000/- [Rupees fifty Thousand Only) and P.R. bond in the like amount to the satisfaction of the trial Court with direction to trial Court to conclude the trial within two months.

J U D G E

Sajid