

**ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI**

Cr. Bail Application No.411 of 2021

Sabir Hussain
Versus
The State

Date	Order with signature of Judge
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For hearing of bail application.

Dated: 27.04.2021

Mir Saifullah for applicant along with applicant present in person.
Mr. Abrar Ali Khichi, Addl. P.G. for the State.
Mr. Muhammad Shahid Khan for complainant.

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Applicant is seeking confirmation of his interim pre-arrest bail in respect of an offence registered at City Court police station under section 354, 506, 504, 34 PPC under FIR No.27/2021 against three accused. Two of them namely Nadeem and Ghazanfar have already been granted bail by Additional District & Sessions Judge, which fact is admitted by Addl. Prosecutor General. One of the order granting bail to Nadeem son of Falak Sher is available at page 39 of the file.

Brief facts of the case are that while complainant came out of the Court room where she came to attend some case and then proceeded towards Raja Riaz Shaheed Road near CPLC, City Court Ground, she alleged that Sabir, Nadeem and Ghazanfar came there and while Ghazanfar held her arm, they warned her to withdraw the case and used abusive language.

I have heard learned counsel for applicant as well as that of complainant and Addl. Prosecutor General appearing for the State.

From the facts as narrated in the FIR, at the most Ghazanfar who held the arm of the complainant could be considered to have significant role in

the aforesaid offence. However, he along with other co-accused Nadeem have already been granted bail whereas present applicant's role in the instant FIR is much less severe, if not similar to the role of Ghazanfar. Even, learned Additional Sessions Judge-IX Karachi South while declining bail to the applicant himself was of the view that it is to be seen whether any question or point involve in the case needs further probe and inquiry and in case there is such need then bail is usually granted. However, while dealing with bail of present applicant, he has failed to consider such aspect of the matter.

Learned Addl. Prosecutor General appearing for the State in view of above position has also conceded that it is a case of further inquiry, particularly in view of the fact that the two co-accused, one of whom had a direct role, have already been granted bail.

In view of above facts and circumstances, the interim pre-arrest bail granted to the applicant by this Court on 08.03.2021 is hereby confirmed on the same terms.

Bail application stands disposed of.

Judge