

**IN THE HIGH COURT OF SINDH,
BENCH AT SUKKUR**

Cr. Bail Appln. No. S – 39 of 2023

Date

Order with Signature of Hon'ble Judge

Hearing of bail application

1. For orders on Office objection at Flag 'A'
2. For hearing of post-arrest bail application

13.02.2023

Mr. Ubedullah Malano, Advocate for the applicant
Syed Sardar Ali Shah, Deputy Prosecutor General for the State

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ORDER
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ZAFAR AHMED RAJPUT, J- Through instant Criminal Bail Application, the applicant / accused, namely, Mohsin Jee S/o Kano Jee alias Kania Jee, seeks post arrest bail in Crime No.422 of 2022 registered at Police Station, Daharki, District Ghotki, under Articles 3 / 4 Prohibition (Enforcement of Hadd) Order, 1979. His earlier application for the same relief was heard and dismissed by learned Civil Judge and Judicial Magistrate, Daharki vide order dated 02.01.2023 and thereafter he has preferred the Criminal Bail Application No.33/2023 which was dismissed by learned Additional Sessions Judge, Daharki vide order dated 10.01.2023.

2. Heard learned counsel for the applicant as well as learned Additional PG for the State, and perused the material available on record.

3. It is case of the prosecution that on 26.12.2022 at 1930 hours, the applicant was arrested at Reharki link road near Samejo Flour Mill, Daharki, and on being found in possession of 50 bottles of wine of Muoree 5 London Drygin.

4. The offence under Article 3 of the Ordinance is punishable for life or with imprisonment not less than 02 years while punishment under Article 4 is

imprisonment for a term, which may extend to 02 years. *Prima-facie*, there is no direct evidence connecting the applicant with the offence falling under Article 3 of the Ordinance while the offence of possessing Wine falling under Article 4 is bailable, hence, the applicant is admitted to post-arrest bail on his furnishing solvent surety in the sum of **Rs.50,000/- (Fifty thousand)** and P.R bond in the like amount to the satisfaction of learned trial Court.

5. The bail application stands **disposed of** in the above terms.

Judge

ARBROHI