

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD

Criminal Bail Application No.S-691 of 2019

DATE	ORDER WITH SIGNATURE OF JUDGE
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Bail Before Arrest
For hearing of main case

20.09.2019.

Applicant present on ad-interim pre-arrest bail.

Ms. Rameshan Oad, A.P.G.

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I have heard the applicant in person, who is seeking pre-arrest bail in Crime No20/2018 of P.S Hussainabad, under section 288 and 322 PPC, as his Counsel is repeatedly called absent.

2. The allegation against him are that he is owner of a house in Unit No.4, Latifabad, Hyderabad where when the construction of a new room over the roof of his house was going on, the roof collapsed over the labourers working under it killing three of them.

3. Ms. Rameshan Oad learned Assistant Prosecutor General Sindh has not been able to controvert that the mens rea and actus reus of the applicant are yet to be determined by the trial court and it is to be seen whether the applicant has contributed in any manner to collapse of roof of his house. Applicant has been challaned u/s 388 and 322 PPC which offences are bailable. Learned A.P.G has not denied that in bailable cases the accused cannot be taken into custody if he offers requisite surety, and has not opposed confirmation of ad-interim pre-arrest bail already granted to the applicant/accused in such backdrop.

4. Accordingly, ad-interim pre-arrest bail already granted to the applicant / accused vide order dated 27.06.2019 is hereby confirmed on the same terms and conditions.

5. The observations made hereinabove are tentative in nature and shall not influence the trial court while deciding the case on merits.

Bail application is allowed in above terms.

JUDGE