

**THE HIGH COURT OF SINDH, CIRCUIT COURT,  
HYDERABAD**

Criminal Bail Application No.S-1184 of 2024.

<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE</b>
	For orders on office objections. For hearing of main case.

30.12.2024.

Mr. Aghis-u-Salam Tahirzada, advocate for the applicant.  
Mr. Bashir Ahmed Almani, Assistant Attorney General.  
SI Babar Ali PS FIA (C.C.), Shaheed Benazirabad.

**ORDER**

MUHAMMAD IQBAL KALHORO, J:- Applicant is accused in Crime No.04/2024, which is a result of an inquiry initiated by FIA regarding misappropriation of funds from the salary account of HESCO employees from 2017 to 2023. As per calculation, in all loss to government exchequer is to the tune of approximately Rs.45 crores. Applicant is a private person and it is alleged that XENs and DAOs of the Company used to hand him over cross cheques to be deposited in his account and in the accounts of his family members for withdrawal of cash to be given back to them, against some commission.

In all, there are 34 accused out of which only applicant is in jail and main beneficiaries XENs, DAOs and others are either on ad-interim pre-arrest bail granted by learned trial court or on post-arrest bail. The applicant is in jail since 02.10.2024 and so the far final Challan has not yet been submitted. Meanwhile, some of the accused arraigned in the present case applied for post-arrest bail being Criminal Bail Application No.S-474/2024 and others before this Court and this Court vide order dated 29.05.2024, a copy of the order

has been placed on record by learned defence counsel, has granted bail to them.

Learned defence counsel citing above grounds has pleaded for bail opposed by learned Assistant Attorney General and IO of the case. The case of the applicant seems to be essentially on the same or lesser footings than that of co-accused who have already been granted post-arrest bail by this Court. Further, the main beneficiaries are already on bail therefore not only a case of further inquiry is made out but rule of consistency also seems applicable. More so, the entire case is based on documentary evidence which is with the prosecution and there is no likelihood that it would be tampered with by the applicant. In view of above facts and grounds, the applicant is entitled to grant of post-arrest bail. Accordingly, the bail application is allowed and the applicant is granted post-arrest bail subject to furnishing a solvent surety in the sum of Rs.200,000/- and P.R Bond in the like amount to the satisfaction of learned trial Court.

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

JUDGE