

27

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA
1st Cr. Bail Appln. No S-86 of 2019

Date of
Hearing
14.02.2019.

ORDER WITH SIGNATURE OF JUDGE

1. For orders on M. A. No.607 /19.
2. For orders on office objections
3. For orders on M. A. No.608/19
4. For hearing of Bail Application

Mr. Faiz Mohammad Larik, advocate for the applicant, along with applicant.

1. Granted.
2. Overruled.
3. Granted subject to all just exceptions.
4. Without touching merits or demerits of the case, applicant Bakhar Phull alias Bakhar son of Allah Warayo Phull is admitted to protective bail for seven (07) days from today in Crime No.41/1992 of Police Station Taluka, Larkana, registered under Sections 324, 353, 34, PPC & 13 DAO, subject to his furnishing 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 Additional Registrar of this Court, only to enable the applicant to surrender before the Court concerned for appropriate relief. Meanwhile, operation of NBWs, if any, issued against the applicant by the trial Court shall remain suspended for said 07 days.

This order shall cease to operate on expiry of 07 days from today i.e. on 20.02.2019 or such earlier date when the applicant surrenders before the Court concerned, whichever is earlier.

Bail application stands disposed of in above terms along with all pending application(s).


JUDGE

ORDER-SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA
Crl. Bail Appln. No. S- 86 of 2019.

Date of hearing	Order with signature of Judge
25.02.2019.	

1. For orders on M.A. No. 765/2019.
2. For orders on M.A. No. 766/2019.
3. For orders on M.A. No. 664/2019.

Mr. Faiz Muhammad Larik, Advocate for applicant.
Mr. Aitbar Ali Bullo, Deputy Prosecutor General.

1. Urgency application granted.

2 & 3. Learned counsel for applicant submits that, through captioned bail application the applicant/ accused sought protective bail, and inadvertently the matter was treated (to be heard by single-bench), but in-fact the case being STA case was to be placed and heard by division-bench. Learned counsel further submits that, this fact came to know, when the applicant appeared before learned Sessions Judge, Larkana, after grant of protective bail vide Order dated 14.2.2019 and furnishing the required surety before this Court. He submits that, applicant/ accused has filed fresh bail application vide Crl. Bail Appln. No. D-08/2019 before this Court, which is to be heard and decided by division-bench of this Court.

Learned counsel further contends that, the order passed by this Court has been complied with, as the accused had already appeared before the Court of learned Sessions Judge, but because of jurisdiction, he has filed another application for protective bail, which is to be heard by division bench. He further added that, protective bail was granted for specific period and such period does not exist now, as such, the surety documents (saving certificate) deposited by surety of applicant is no more required by this Court. He lastly submitted that in view of above position, previous order of granting protective bail by single bench, being already complied with, has become of no further legal effect and infructuous. The contention of learned counsel is borne out from the record. Accordingly, the listed applications are disposed of. The office is directed to return surety documents to the applicant/ surety after proper verification and identification against a valid receipt.

~~JUDGE~~

*After order complied on
Date: 26-02-2019
At Larkana*