

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

Cr. Bail application No.S- 855 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on MA NO.7272/2017
2. For orders on office objections
3. For orders on MA No.70273/2017
4. For hearing

13.10.2017.

Agha Faisal Advocate for applicant alongwith applicant

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- 1- Urgent application is granted
- 2- Office objections are deferred for the time being.
- 3- Exemption granted subject to all just exceptions.
- 4- Applicant/accused is present alongwith his Advocate who has been heard for grant of interim pre-arrest bail in favour of applicant/accused in Crime No.205 of 2017 registered U/s 324, 436,452, 109, 504, 34 PPC at police station A-Section Dadu.

It is stated by the learned counsel for applicant/accused that case against applicant/accused is false and has been registered due to enmity. He further submits that initially the applicant/accused has succeeded in obtaining protective bail for seven days vide order dated 27.9.2017 till 03.10.2017 but when he made an attempt to approach the trial court he was attacked by the complainant party within the jurisdiction of police station Sehwan whereby his car was badly damaged, as such he lodged FIR bearing crime No.154 of 2017 of police station Sehwan, regarding a criminal assault made by complainant party upon him at the way, therefore, it was not possible for applicant/accused to approach the trial court. He further submits that he again obtained protective bail vide order dated 03.10.2017 and the period of protective bail is going to be expired today. He further submits that these are the extreme circumstances under which he has filed direct application for grant of pre-arrest bail and in case if at this stage interim pre-arrest bail is not granted to applicant/accused he would suffer irreparable loss and he would be

arrested malafidely at the hands of police which is under the influence of complainant party. In support of his arguments he has placed his reliance upon case laws viz. Rana Muhammad Arshad Vs. Muhammad Rafique and another reported in PLD 2009 SC.427, Khalid Saigol Vs. The State reported in PLD 1962 SC 495, The Crown Vs. Khushi Muhammad reported in PLD 1953 Federal Court 170.

Since sufficient material is brought on record to directly approach this court for grant of interim pre-arrest bail, therefore, without touching merits or demerits of the case the applicant/accused is admitted to ad-interim pre-arrest bail after his furnishing solvent surety in the sum of Rs.100,000/- (Rupees One lac only) and PR Bond in the like amount to the satisfaction of Additional Registrar of this court. Notice to APG as well as complainant.

To come up on 20.10.2017 for confirmation or otherwise.

JUDGE

A.Rasheed