

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Cr. Bail Application No.08 of 2019

DATE ORDER WITH SIGNATURE(S) OF JUDGE(S)

For hearing of bail application

04.02.2019

Mr. Hassan Sabir, advocate a/w applicant.
Ms. Rubina Qadir, D.P.G. Sindh.
I.O Fareed Ahmed, P.S CBC, Karachi.

The applicant through the instant bail application seeks bail before arrest in **FIR No.14/2018**, under **Sections 4(i),5, 23 FER Act, 1949 r/w Section 109 PPC** registered at police station FIA CBC, Karachi, after failing to obtain ad-interim pre-arrest bail confirmed from the Court of VIII Addl. Sessions Judge South, Karachi. By order dated **07.01.2019** without touching the merits of the case, the applicant was admitted to interim pre-arrest bail subject to furnishing solvent surety in the sum of Rs.2,00,000/- and P.R bond in the like amount to the satisfaction of the Nazir of this Court..

2. Brief facts of the prosecution case as disclosed in the FIR are that one Noman Ahmed s/o Muhammad Ahmed (late), the owner of M/s. Noman Trader situated at office No.311, 312, 3rd Floor Jilani Market Boltan Market Karachi and his accomplices are involved in illegal business of Hawalal / Hundi and money transaction in/out of Pakistan without Banking Channels and providing huge loss to Govt. Exchequer. Hence an enquiry No.83/2018 dated 28.11.2018 was registered under the order of Competent authority for necessary legal action.

3. I.O Fareed Ahmed is present in Court and confirms that he has challaned five accused in the said FIR and all the accused are charged of similar offence. There is no difference between any of the five accused. The trial Court has already accepted bail before arrest of one co-accused and two other accused have already been granted bail after arrest since they were arrested at the time of raid by the FIA. Since co-accused have been granted bail by the trial Court and as submitted by the learned counsel that bail of two accused was not confirmed against the rule of consistency. The offence is hardly punishable for two years. Since bail of co-accused have already been granted by the trial Court, present applicant is also entitle for bail before arrest, therefore, interim pre-arrest bail granted on **07.01.2019** is confirmed on same terms and condition.

4. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the trial Court while deciding the case of the applicants/accused on merits.

SM

JUDGE