

Order Sheet

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

C. P. No. D - 369 of 2018

Date of hearing	Order with signature of Judge
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Application in disposed of case

1. For hearing of CMA No.5874/2022 (R/Liability)
2. For hearing of CMA No.5806/2022 (R/Surety)

21.02.2023

Mr. Deedar Ali M. Chohan, Advocate for applicants.
Mr. Mujeeb-ur-Rehman Soomro, Special Prosecutor NAB.

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Through these applications, the applicants, namely, Aijaz Ahmed S/o Barkat Ali Bhangwar and Shahal S/o Jout Ali Khan seek return of liability amount deposited through pay order before the learned trial Court and the surety document furnished before the Additional Registrar of this Court, respectively.

It appears from the record that petitioner Barkat Ali Bhangwar was granted interim pre-arrest bail from this Court vide order dated 20.02.2018, whereas, applicant Shahal had stood surety on behalf of the petitioner by submitting original Solvency Certificate No.07 dated 19.02.2018, issued by Mukhtiarkar (Revenue), Taluka Kashmore. Ultimately, interim pre-arrest bail already granted to the petitioner was confirmed by this Court vide order dated 09.03.2021 subject to depositing entire amount of his liability through pay order and P.R. bond in the like amount to the satisfaction of learned trial Court. Subsequently, liability amount i.e. Rs.25,71,137/- was deposited through Pay Order dated 25.08.2022 in National Bank of Pakistan, Military Road Branch, Sukkur. Thereafter, NAB authorities approached the Hon'ble Supreme Court impugning order dated 09.03.2021, which was set aside by directing the petitioner to file fresh application for bail.

The Accountant of this Court has also filed report dated 30.11.2022.

Learned Judge, Accountability Court-I, Sukkur has submitted his report, wherein it has been informed that the petitioner has filed an application for pre-arrest bail and he has been granted interim pre-arrest bail vide order dated 03.11.2022.

Learned Special Prosecutor NAB records his no objection for return of the liability amount as well as surety document.

In view of above, the listed **applications** are **allowed**. Office of this Court as well as learned trial Court are directed to return the surety document furnished by the applicant and liability amount deposited on behalf of the petitioner to the applicants after proper verification and identification, as per rules.

JUDGE

JUDGE

Abdul Basit