

51

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA
1st CrI. Bail Appln. No.S-249 of 2017

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|-----------------|-------------------------------|
| DATE OF HEARING | ORDER WITH SIGNATURE OF JUDGE |
|-----------------|-------------------------------|

16.6.2017.

1. For orders on office objections.
2. For orders on M. A. No.2120/17.
3. For hearing.

Mr. Habibullah G. Ghouri, advocate for applicants, along with applicants.


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1. Overruled.
 2. Granted.
 3. At the very outset, learned Counsel for the applicants submits that this pre-arrest bail application may be treated as an application for protective bail.

The learned Counsel further submits that the applicants were nominated in Crime No.119/2009, registered at Police Station Civil Line, Jacobabad lodged by one Mohammad Moosa on 27.10.2009, for offence under Sections 392, 506/2, 337-H(2), 337-F(i), 114, 148, 149, PPC, wherein challan was submitted by the police and the case is still pending before the Court of Judicial Magistrate, Jacobabad. Learned Counsel further submits that after investigation the applicants were let-off by the investigation officer but the concerned Magistrate did not agree with the report of investigation officer and took the cognizance of the offence against them, which fact was not in the knowledge of the applicants; however, very recently when the trial Court issued NBWs against the applicants, they appeared before the Court of Sessions Judge, Jacobabad by moving an application for pre-arrest bail, the same was marked to Additional Sessions Judge-I, Jacobabad but the Counsel for the applicants without the consent of the applicants withdrew the bail application, hence the same was dismissed vide order dated 17.6.2017. The learned Counsel submits that applicants intend to surrender before the Court of Sessions Judge, Jacobabad along with

an application for pre-arrest bail, but as the NBWs have been ordered to be issued against them, they apprehend their immediate arrest before approaching the said Court, hence they seek protection of law.

Without touching merits and demerits of the case, the applicants/accused are admitted to protective bail for 08 days (with effect from 16.6.2017 to 23.6.2017) subject to furnishing solvent surety in the sum of Rs.25,000/- each and P.R bond in the like amount to the satisfaction of Additional Registrar of this Court. Meanwhile, the operation of NBWs, if issued against the applicants, shall remain suspended. This order shall, however, cease to have its effect on 23.6.2017, after Court's hours or on any date when the applicants surrender before the Court concerned, whichever occurs earlier.

This bail application stands disposed of.


JUDGE

Mr. Munzar Ahmed S/o Aamir Khan

Stood surety for applicant namely G. Aftab
Ahmed & Faris Ahmed

in the sum of Rs. 25000/- each Total

Rs. 50000/- on: 16-06-2017

Vide Surety Bond No. 172/17


Accountant 16.6.17