

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI.

**Cr. Bail Appl No. 1199 of 2024**  
(Mushtaq Ahmed Abbasi vs. NAB & others )

**16.09.2024**

Mr. Shoaib Ali Khatyan, advocate for applicant  
Mr. Syed Dilshad Hussain, Special Prosecutor, NAB

**ORDER**

**MUHAMMAD IQBAL KALHORO J:** Applicant is standing a trial in NAB Reference No.19/2020 against the allegations of making fake appointments in Special Education Department in the years 2012/2013. In this reference, although all the accused are on bail except applicant.

2. Learned counsel for the applicant urges the rule of consistency to seek relief of bail, which has been opposed by learned Special Prosecutor, NAB stating that the applicant's pre-arrest bail application was dismissed by this Court earlier, he had approached the Supreme Court thereafter, but when he could not satisfy the Supreme Court, he withdrew the application with an undertaking to appear / surrender before the trial Court but, he did not do so, hence he is not entitled to discretionary relief for bail.

3. We have considered the said point, however are of the view that applicant was arrested on 29.02.2024 and is in jail since then. Therefore, he has been sufficiently punished for his failure to surrender before the trial Court after dismissal of his application from the Supreme Court. Further, in the trial 32 witnesses have been cited, out of whom only 08 witnesses have been examined so far. Keeping in view the pace of trial, it is not difficult to extrapolate the time, the trial is going to take to conclude. Further, against the same allegations, the other applicants have been granted post arrest bail by the trial Court.

4. In the circumstances, we are of the view that applicant has been able to make out a case for bail. Accordingly this application is allowed and the applicant is granted bail subject to furnishing two solvent sureties in the sum of Rs.1,000,000/ (Rupees one million) each with P.R. bonds in the like amount to the satisfaction of the trial Court.

5. Bail application stands disposed of in the above terms. The observations made hereinabove are tentative in nature and would not prejudice case of either party at trial.

**J U D G E**

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Rafiq/P.A.