

# HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

Crl. Bail Application No.S-395 of 2026

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

1. For orders on office objection (s)
2. For hearing of main case

**30.04.2026**

Mr.Nizam Uddin Vighio, Advocate for the applicant  
Syed Tariq Ahmed Shah, Advocate for complainant  
Ms.Sana Memon, A.P.G for the State a/w ASI Muhammad  
Urs Khaskheli of PS A-Section Tando Allahyar

\*\*\*\*\*

On 01.04.2026, this bench had granted interim pre-arrest bail to the applicant/accused with direction to submit solvent surety of Rs.50,000/-, which was in addition to the solvent surety (Rs.200,000/-) submitted in another earlier bail application, which got dismissed for non-prosecution. Yet, on the subsequent hearing dates of this second bail application on 16.04.2026, 20.04.2026, 27.04.2026 and once again, today on 30.04.2026, the applicant/accused has not been in attendance. Additionally, the report submitted by the trial Court is also taken on record, which reflects that the applicant/accused had failed to appear before the trial Court as on 07.03.2026 (prior to the filing of this second bail application) and has continued to avoid appearance before the trial Court upto 28.04.2026. The counsel has not informed this bench that the applicant has remained absent before the learned trial Court. The service report received from S.H.O, P.S. A-Section, Tando Allahyar concerning the applicant/accused is also taken on record, which is of no help to the applicant/accused.

Given the trial Court's report, when confronted with the above information, counsel has not been able to provide any justification for the continuous non-attendance of the applicant/accused over the last four (04) dates of hearing. Such continuous absence before the trial Court and before this bench, at this interim bail stage cannot entitle

the applicant/accused to continue the concession of bail, which in the facts and circumstances discussed above is accordingly **dismissed**.

Further, the surety is also not in attendance today. As per the service report, he was not available at his residence, though notice was served upon his brother. Yet he has chosen to remain absent today and his conduct does not inspire confidence. In these circumstances, I am constrained to find the surety furnished before this Court in this second bail application hereby stands forfeited.

Finally, it seems that the applicant/accused is willfully and intentionally abusing the process of law. The trial Court is at liberty to issue NBWs against the applicant/accused and/or pass any other orders as deemed fit, particularly, if the applicant/accused continues to remain absent. A copy of this order may be sent to the trial court in light of the above directions.

**JUDGE**

AHSAN K. ABRO