

ORDER SHEET
IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD.

Criminal Bail Application No.S- 1523 of 2025
Criminal Bail Application No.S- 63 of 2026

DATE	ORDER WITH SIGNATURE OF JUDGE
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07.05.2026.

Mr. Mushtaque Ahmed Abro, Advocate for applicants.
Mr. Khalid Hussain Lakho, D.P.G for State.
Mr. Safdar Ali Panhwar, Advocate for complainant a/w complainant.

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On 10.12.2025 in Cr. Bail Application No.S-1523 of 2025 (FIR No.307/2025) and on 16.01.2026 in Cr. Bail Application No.S-63 of 2026 (FIR No.260/2025), this bench had granted interim pre-arrest bail to the applicants/accused with direction to submit solvent surety of Rs.50,000/- each. Yet, on the subsequent hearing dates i.e. 08.04.2026, 15.04.2026, 30.04.2026 and even today the two applicants/accused have not been in attendance. Additionally, the learned D.P.G has submitted the case diaries of the trial Court dated 15.04.2026 and 29.04.2026 which reflect that the applicants/accused had also failed to appear before the trial Court and have continued to avoid appearance before the trial Court. The counsel has not informed this bench that the applicants have remained absent before the learned trial Court. Even on the last date of hearing notice was issued to the surety but none are in attendance.

Given the trial Court's case diaries, when confronted with the above information, counsel has not been able to provide any justification for the continuous non-attendance of the applicants/accused for 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 applicants/accused to continue the concession of bail, which in the facts and circumstances discussed above is accordingly **dismissed** and the interim pre-arrest bail already granted to the applicants is hereby recalled.

Further, the surety is also not in attendance today and his conduct does not inspire confidence. In these circumstances, I am constrained to find the surety furnished before this Court in these bail applications hereby stands forfeited.

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

JUDGE

Tufail