

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

Criminal Miscellaneous Application No.S-861 of 2024

DATE	ORDER WITH SIGNATURE OF JUDGE
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05.05.2025

Mr. Shakir Ali Talpur, Advocate for Applicant.
Ms. Sana Memon, Assistant Prosecutor General.

Counsel has challenged the Order of Additional Sessions Judge-II Kotri wherein according to him due to absence of the Applicant/Accused on bail notices were issued to the surety of the Applicant/Accused whereas NBWs were issued against Applicant/Accused. It is being the normal procedure however the only lacuna in this Order seems to be that the learned Trial Court which had in a haphazard manner allowed request of the Applicant/Accused with stating the word “excused” without recalling NBWs and without asking for any surety since the earlier surety was forfeited. Counsel in support of his arguments relies upon 2009 SCMR 834. Be that as it may, learned Trial Court is directed in such circumstances to make a clear Order in the above matter after hearing both the parties as well as Counsel for the State and in light of Honourable Supreme Court’s case law. Let a fresh surety be obtained from the Applicant/Accused.

In the above terms matter stands disposed of.

J U D G E

Ali Haider

