

ORDER SHEET

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD**

Criminal Appeal No.S-39of 2021

DATE	ORDER WITH SIGNATURE OF JUDGE
	1. For hearing of M.A. No.1702/2021. 2. For hearing of main case.
<u>16.07.2021</u>	

Mr.Bharat Kumar, Advocate for the appellant.
Mr. Muhammad Humayoon Khan, D.A.G for the State.

==

The appellant for an offence punishable under section 409 P.P.C r/w section 5 (2) Act-II of 1947has been convicted and sentenced to undergo R.I for three years and to pay fine of Rs.21,58,022/- and in default whereof to undergo simple imprisonment for six months with benefit of section 382(b) Cr.P.C by learned Special Judge Anti-Corruption (Central) Hyderabad vide his Judgment dated 24.02.2021, which is impugned by the appellant before this Court by preferring an appeal and in the meanwhile, by way of listed application under section 426 Cr.P.C., has sought for his release on bail pending disposal of his appeal.

2. It is contended by learned counsel for the appellant that the sentence is short one and hearing of his appeal is likely to take time. By contending so, he sought for release of the appellant on bail pending disposal of his appeal.

3. Learned D.A.G for the State has opposed to release of the appellant on bail by contending that the hearing of the appeal would take no time.

4. I have considered the above arguments and perused the record.

5. The appellant at trial was enjoying the concession of bail; the conviction and sentence awarded to him are short one and hearing of his appeal because of heavy pendency, obviously would take time. In these circumstances; a case for release of the appellant on bail pending disposal of his appeal is made out.

6. In view of above, by suspending the operation of impugned judgment, while relying upon case of *Abdul Hameed Vs. Muhammad Abdullah and others (1999 SCMR 2589)* the appellant is admitted to bail subject to his furnishing surety in sum of Rs.100,000/- and P.R bond in the like amount to the satisfaction of Additional Registrar of this Court.

7. The listed application is disposed of accordingly.

JUDGE

Muhammad Danish Steno*