

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD.
Cr.B.A.No.342 of 2024

DATE	ORDER WITH SIGNATURE OF JUDGE
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01-07-2024

Mr. Ghulam Murtaza Leghari advocate alongwith applicants.
Mr. Siraj Ahmed Bijarani, A.P.G for the State.
Mr. Abdul Hameed Bajwa, advocate for complainant.

The learned IInd Additional Sessions Judge, Badin was seized of criminal bail application 343 of 2024 and vide order dated 29.03.2024 it was dismissed for non-prosecution in terms of the following order.

“The learned advocate for the applicants/accused, learned advocate for complainant and learned ADPP for the State are present. The applicants/accused were called absent on the first call as well as on the second call. The matter was already fixed for arguments but the learned advocate for applicants/accused did not argue the matter in hands and he has narrated that the accused could not appear without intimation to him, therefore, the instant bail application is hereby dismissed in non-prosecution, as a result of this, the interim pre-arrest bail already granted to the applicants/accused is hereby recalled.”

Thereafter, the pre-arrest bail was preferred before this Court. Upon being confronted as to why the applicants were absent before the learned trial Court and or did not proceed with the relevant bail application on merit; learned counsel for the applicants has consulted the applicants and submits that this Court may be pleased to convert this bail into protective bail and provide an opportunity to the applicants to seek bail before the learned trial Court. The proposition is not opposed by the learned A.P.G or the learned counsel for the complainant.

In view hereof, this bail is converted into protective bail and applicants are granted protective bail for the period of eight (08) days from today. However, the surety shall be the same as has already been obtained. This order shall cease to have its effect on the expiry of eight (08) days from today, i.e. on 08.07.2024 or on the applicants' surrendering themselves before the learned trial Court whichever is earlier.

This bail application stands disposed of.

Judge