

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

Criminal Bail Application No.S-732 of 2024

Gul Hassan

vs.

The State

For the Applicant : Mian Taj Muhammad Keerio,
Advocate

Date of hearing : 09.07.2024

Date of announcement : 09.07.2024

ORDER

1. Granted.

2,3&4. Earlier the applicant had sought protective bail from this Court and the same was granted in Criminal Bail Application S-676 of 2024 on 26.06.2024. Thereafter Criminal Bail Application 616 of 2024 was preferred before the Court of Additional Sessions Judge-II Jamshoro at Kotri and vide order dated 29.06.2024 the same was dismissed. The order is reproduced hereinbelow:

“Today instant bail application u/s 498 Cr.PC is received by way of transfer, the B.A was repeatedly called but the applicant/accused is called absent without intimation. Therefore, the instant application is hereby dismissed in non-prosecution.”

Today protective bail is being sought from this Court yet again. Protective bail is a creation of common law and *prima facie* there is no statutory right to seek or avail the same. Such discretionary relief cannot be sought / repeated in a perfunctory and mechanical manner. In the present case such discretion has already been exercised in favour of the applicant and no case has been made out to repeat the same.

Repeated recourse to this Court, in the present facts and circumstances could not be justified by the applicant's learned counsel. The matter is found to be *prima facie* devoid of merit and even otherwise no assistance has been rendered in so far as the law is concerned to augment the applicant's case. Therefore, this bail application is dismissed in *limine*.

JUDGE