

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
**C.P. No.D-02 of 2021**

<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE.</b>
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For hearing of main case  
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**01.12.2021**

Mr. Saddam Bhutto, Adv. holds brief for Mr. Zulfiqar Ali Khan, Adv. for  
petitioners  
Mr. R. D. Kalhoro, Special Prosecutor NAB  
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Petitioners Ghulam Murtaza Mahar and Ghulam Mustafa are present on interim pre-arrest bail granted to them by this Court vide order dated 01.01.2021. Special Prosecutor NAB, submits that the matter is at the stage of inquiry and pertains to the territorial jurisdiction of NAB Sukkur. He further states that now all the bail applications in these matters shall be heard by the learned trial Court as an Ordinance XXIII of 2021, called "*the National Accountability (Second Amendment) Ordinance XXIII, 2021*" has been promulgated on 07.10.2021, whereby under Section 7, powers to deal with the bail matters have been conferred upon the Courts having been established under the NAO, 1999.

In the view of above legal position, learned counsel for the petitioners prayed that interim pre-arrest bail already granted to the petitioners may be converted to protective bail to enable the petitioners to surrender before learned Judge, Accountability Court, Sukkur. Learned Special Prosecutor NAB has recorded no objection for conversion of instant petition to the protective bail.

In the view of above, the instant petition is converted to protective bail. Without touching the merits of the case, petitioners *Ghulam Murtaza Mahar and Ghulam Mustafa both sons of Abdul Haq Mahar* are granted **protective bail** for a period of **10 days** from today against the same surety already furnished by the petitioners in this petition, to enable them to appear before learned Judge, Accountability Court, Sukkur. It is made clear that this order shall cease to have its effect after expiry of **10 days** or when the petitioners surrender before the learned Judge, Accountability Court, Sukkur, whichever occurs earlier. In case, petitioners fail to surrender before the learned Judge, Accountability Court, Sukkur in the aforesaid period, their bail bond shall stand forfeited automatically.

The instant constitution petition is accordingly disposed of.

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