

22/01

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

Cr. Bail Appln. Nos. S- 283 of 2024
Cr. Bail Appln. Nos. S- 284 of 2024

Date of hearing	Order with signature of Judge
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1. For orders on office objection-A.
2. For hearing of bail application.

20.01.2025.

Mr. Abdul Sattar Janwari, Advocate for the Applicants.

Mr. Aitbar Ali Bullo, Deputy Prosecutor General, Sindh.

Applicants are present on interim pre-arrest bail.

None present for the Complainant. I have been informed that trial was complete and the matter was fixed for announcement of Judgment, however; on the application of learned Prosecutor, Charge has been amended by including section 420 PPC, it appears that learned Judge, intends to reexamine the witnesses. The order of learned Judge dated 11.1.2025, in terms of which he has directed that fresh charge be framed is not under challenge and hence I have not commented on the same.

An offence under section 489-F PPC though not bailable, falls within the non-prohibitory clause of section 497 Cr.P.C. Keeping in mind the principles enunciated in **Tariq Bashir and 5 others vs. The State (PLD 1995 SC 34)**, I do not see, nor has any been pleaded, exceptional or extraordinary ground to deny the applicant bail. The applicants have faced an entire trial and there is no complaint of misusing the concession of interim pre arrest bail or not cooperating with the investigation. The cheque in question has been issued by S-traders and it is yet to be determined what nexus Abdul Wahab Bhutto and Sumair Ahmed have with S-traders. The F.I.R. *prima facie* reflects that the cheque was issued by Shoaib Ahmed Bhutto. The offence under section 420 PPC is bail-able. I have been informed by learned Counsel that the applicants have been implicated in this case with malafide solely because they are relatives of Shoaib Bhutto.

Given the above, the interim pre-arrest bail granted to the applicants earlier is confirmed on the same terms and conditions.


JUDGE