

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA
Criminal Bail Application No. S-454 of 2025

Applicant : Ali Dost son of Ali Jan, through Mr. Ahmed Ali G. Boohar, Advocate

Complainant : Abdul Hameed, in person

Respondent : The State
Through Mr. Aitbar Ali Bullo, Deputy Prosecutor General, Sindh along with Sajid Ameer, SSP Kamber-Shahdadkot, Inspector Rafique Ahmed Khoro, SHO, PS Warrah, SIP Muhammad Ayoub I.O of the case & SIP Zulfiqar Ali

Date of Hearing : 13.10.2025

Date of Order : 13.10.2025

ORDER

AMJAD ALI SAHITO, I-- Through this Bail Application, the applicant/accused Ali Dost seeks pre-arrest bail in Crime No.108 of 2025 registered with Police Station Warrah, District Kamber-Shahdadkot, for the offence under Sections 392 & 34 PPC, after his bail plea has been declined by the learned Addl. Sessions Judge-II, Kamber, vide order dated 12.08.2025.

2. The details and particulars of the FIR are already available in the bail application and FIR, same could be gathered from the copy of FIR attached with such application, hence, needs not to reproduce the same hereunder.

3. Mr. Ahmed Ali G. Boohar, Advocate files Vakalatnama on behalf of the applicant, which is taken on record. Per learned counsel for the applicant, applicant is innocent and has falsely been implicated in this case; that the FIR is delayed about two months for which no plausible explanation has been furnished. Lastly, he prays for confirmation of bail.

4. On the other hand, Complainant Abdul Hameed is present in Court and states that on the day of robbery, the applicant was present duly armed with a pistol and robbed a motorcycle and other valuable articles from him; hence, he is not entitled for the concession of bail. Learned Deputy P.G, Sindh also vehemently opposes the grant of bail.

5. Heard arguments of the parties and perused the material available on record.

6. From perusal of record, it reflects that name of the applicant transpires in the FIR; however, the complainant present in Court has also identified him being the main culprit of the incident during robbery. The accused person along with co-accused has robbed a motorcycle, a Nokia mobile phone and cash of Rs.74,100/- from the complainant. No enmity or animosity has been pointed out by learned counsel for the applicant/accused to believe his false implication. I.O of the case is present in Court and states that in fact, after submitting challan, the accused has surrendered before the trial Court and obtained pre-arrest bail and subsequently same was cancelled; however, he has not joined the investigation even after grant of bail and as such requests that custody of the accused may be handed over to him for recovery of the robbed articles including a motorcycle.

7. In view of the above, instant Criminal Bail Application is hereby **dismissed**; ad-interim bail granted earlier vide order dated 18.08.2025 is hereby recalled. Since, the I.O of the case requests custody of the accused, the custody of the applicant/accused is handed over to the I.O with directions that after obtaining remand from the concerned Magistrate, properly investigate the matter and recover the alleged robbed articles from the accused, as stated by the complainant.

JUDGE