

HIGH COURT OF SINDH CIRCUIT COURT MIRPURKHAS

Criminal Bail Application No.S-326 of 2025

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Applicant: Zubair s/o Khan Muhammad.
Through Mr. Arz Muhammad Unnar,
Advocate.

Respondent: The State
Through Mr. Dhani Bakhsh Mari,
Assistant Prosecutor General Sindh.

Complainant: Muhammad Irfan s/o Noor Muhammad.
Through Mr. Kamran Bhatti, advocate.

Date of Hearing: 16.02.2026

Date of Order: 16.02.2026

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ORDER

Miran Muhammad Shah, J-: Applicant/accused namely Zubair seeks pre-arrest bail in Crime No.137 of 2025 for offence under Sections 397, 34 PPC registered at Police Station Town Mirpurkhas, after dismissal of his bail plea by the learned Additional Sessions Judge-I, Mirpurkhas, vide order dated 07.11.2025.

2. The details and particulars of the F.I.R are already available in bail application and the F.I.R, as such, need not to reproduce the same hereunder.

3. Learned counsel for the applicant/accused submits that the applicant/accused is innocent and has been falsely implicated in the present case; that the name of the present applicant/accused is not mentioned the contents of FIR and the complainant in his further statement disclosed the name of present applicant/accused with malafide intention; that nothing was recovered from the possession of the applicant/accused and no specific role has been assigned to the applicant/accused and the alleged offence does not fall within the prohibitory clause of section 497 Cr.P.C;. Lastly, he prayed

for the grant of bail.

4. Conversely, learned A.P.G and learned counsel for the complainant have vehemently opposed for the confirmation of bail to the applicant/accused and prayed for dismissal of the instant bail application.

5. I have heard the learned counsel for the applicant/accused, learned counsel for the complainant and learned A.P.G for the State and perused the record.

6. It seems that the name of the present applicant/accused has not been nominated in the FIR, and his name transpired in the challan after the recording of the further statement of the complainant. Perhaps it may be argued that, due to ill will or mala fide intention, the complainant has falsely involved the present applicant/accused. However, the alleged offence does not fall within the prohibitory clause of Section 497, Cr.P.C.

7. In the above circumstances, the pre-arrest bail granted to the applicant vide order dated 12.11.2025 is hereby confirmed on the same terms and conditions.

8. The observations made here-in-above are tentative in nature and would not prejudice the case of either party at the trial.

The application stands disposed of.

JUDGE

Adnan Ashraf Nizamani