

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS
Crl. Bail Application No.S-413 of 2025

Applicant: Altaf s/o Iqbal Ahmed
Through Mr. Muhammad Sultan, Advocate.

Respondent: The State.
Through Mr. Ghulam Abbas Dalwani, D.P.G.

Date of hearing: 19.02.2026

Date of Order: 19.02.2026

ORDER

Miran Muhammad Shah, J: Through this Order, I intend to dispose of above-mentioned bail application, whereby the applicant/ accused seeks post arrest bail in F.I.R No.80 of 2025 for offence punishable under sections 395, 397, 342, 337-H(ii) P.P.C of PS Jhudo, after rejection of his bail plea by the learned Sessions Judge, Mirpurkhas vide Order dated 20-12-2025.

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. Per learned counsel for the applicant, the name of the applicant does not transpire from the F.I.R but police with malafide intention and ulterior motives involved the applicant in this false case; that F.I.R is delayed by one day without any plausible explanation; that the alleged recovery has been foisted upon the applicant; that the case of the applicant requires further inquiry. Lastly he prayed for the grant of bail to the applicant.

4. On the other hand, learned D.P.G vehemently opposed for the grant of bail to the applicant while arguing that though the name of the applicant does not transpire in the F.I.R., however, during

investigation police arrested the applicant alongwith co-accused and recovered the robbed articles from their possession so also in identification parade the eye witnesses have identified them before the learned Magistrate; that alleged offence falls under the prohibitory clause of section 497 Cr.P.C. Lastly he prayed for dismissal of instant bail application.

5. I have heard learned counsel for the applicant and learned D.P.G so also perused the material available on record, it transpires that infact the present applicant/ accused has been booked in two different F.I.Rs, in one F.I.R (bearing Crime No. 80/ 2025 of PS Jhudo) his name does not appear, however, in the second F.I.R (bearing Crime No. 85/ 2025 of PS Jhudo) his name is mentioned. In the present incident, a large number of mobile phones and cash amount were stolen from the shops of mobile market situated at Jhudo town. From the contents of the F.I.R, it seems a well-planned dacoity in the mobile market where many shops were closed, the accused persons by breaking the locks of the shops stolen/ robbed mobile phones so also cash amount. Since in the first F.I.R, the accused persons fled away; however, during course of investigation after about eleven days another F.I.R was lodged, in which all the accused were arrested including present applicant/ accused. Upon their arrest, they admitted that earlier they had looted the mobile market. The stolen items including the mobile phones were recovered from the possession of the accused persons including applicant/ accused in a joint recovery. After which identification parade was held before the concerned Magistrate where both the eye witnesses of the dacoity, who were chowkidars/ caretakers of the market, identified them.

From the reading of F.I.R, it is observed that the applicant/accused is a habitual offender in crimes such as dacoity and after committing crimes, heading down to commit crime after passage of time. Once bail is granted to the applicant/ accused, there is every possibility that he shall engage in further crimes and would cause fear among the people of the town. A large number of the mobile phones so also cash amount have been recovered from the possession of the applicant/ accused and co-accused at the time of their arrest as shown in the recovery memo as well as in the challan sheet. The offence committed, all are carrying heavy punishment and falls within the prohibitory clause, therefore, in my view, the applicant/ accused has not made out a case for the grant of bail; hence instant bail application is hereby dismissed.

6. The observations made in this decision are of a tentative nature and will not influence the merits of the case.

JUDGE

Saleem