

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA

Criminal Bail Application No. S-531 of 2025

Applicant/Accused : Nazeer Shah son of Qadan Shah, through Mr. Shahbaz Ali Brohi, Advocate.

Complainant : Mst. Tahira wife of Shafi Muhammad Memon, through Mr. Ashfaq Hussain Abro, Advocate.

The State : Through Mr. Aitbar Ali Bullo, Deputy Prosecutor General, Sindh.

Date of hearing : 23-02-2026

Date of order : 23-02-2026

*FIR No. 53 of 2025
u/s: 365-B & 34 PPC
P.S. Garhi Yasin, District Shikarpur*

ORDER

Adnan Iqbal Chaudhry J. - The Applicant seeks post-arrest bail in the aforesaid crime after the same has been declined by the 3rd Additional Sessions Judge, Shikarpur vide order dated 22.08.2025.

2. As per the FIR lodged on 01.06.2025, the complainant Tahira reported that on 31.05.2025 at 4:00 hours she and other females of her household/family, including her daughter Seeratul Urooj, aged 13/14 years, were on their way to buy medicines when they were intercepted by persons in a Corolla near a doctor's clinic at Garhi Yasin; that four persons alighted from the vehicle, out of whom three were recognized by the complaint as Syed Hussain Shah, Syed Habib Shah and Javed Ali Shah, all carrying pistols; that the accused Syed Hussain Shah grabbed Seeratul Urooj by the arm, forced her into the car and abducted her.

3. Heard learned counsel and perused the record.

4. The Applicant was not nominated in the FIR. He was arrested on a further statement of the complainant made to the police on 05.06.2025. Therefore, there is force in the submission of the Applicant's counsel that he has been falsely implicated after consultation so as to cast a wider net.

5. The co-accused Hyder Ali Shah, who is named in the FIR as Habib Shah, has already been granted bail by this Court by order dated 15.09.2025. The Applicant, who was not nominated in the FIR, has a better case. Therefore, the Applicant is also entitled to the bail on the rule of consistency.

6. Mr. Ashfaque Hussain Abro, learned counsel for the complainant submits that section 365-B PPC is an offence classified under Schedule II to the Anti-Rape (Investigation & Trial) Act, 2021 which requires investigation by a special unit and trial by a special court, all of which has been ignored in this case. But even if that is so, I do not see how that can be the fault of the Applicant.

7. In view of the foregoing, the case against the Applicant is of further inquiry, falling within the ambit of sub-section (2) of section 497 Cr.P.C. Therefore, Applicant Nazeer Shah son of Qadan Shah is granted bail subject to furnishing solvent surety in the sum of **Rs.100,000/-** (Rupees One Hundred Thousands only) along with P.R Bond in like amount to the satisfaction of the trial Court.

Needless to state that observations above are tentative and shall not be construed to prejudice the case of either side at trial.

JUDGE

Zulfiqar