

**ORDER SHEET
IN THE HIGH COURT OF SINDH CIRCUIT COURT
HYDERABAD**

Criminal Bail Applications No.S-285 of 2026

Applicant: Abdul Rehman through Mr. Muhammad Akram Mangrio, Advocate.

Respondent: The State through Mr. Irfan Ali Talpur, Deputy Prosecutor General, Sindh.

Complainant: Asif Ali present in person.

Date of hearing: 18.03.2026.

Date of order: 18.03.2026.

ORDER

RIAZAT ALI SAHAR, J: - This order shall dispose of the instant Criminal Bail Application filed on behalf of the applicant/accused Abdul Rehman son of Allah Warayo, who is facing trial in Crime No.29 of 2026 registered at Police Station Jamshoro for an offence punishable under section 397 PPC.

2. Briefly, the prosecution case as set out in the FIR is that on 27.01.2026, the complainant Asif Ali along with his cousin was intercepted by the applicant Abdul Rehman and two unknown persons riding a motorcycle near WAPDA Center, Sim Nala, who allegedly, at gunpoint, snatched motorcycle, two mobile phones, cash and other valuables and fled away. The present applicant has been nominated in the FIR with the allegation of active participation.

3. Heard learned counsel for the applicant, learned Deputy Prosecutor General, and the complainant, who appeared in person and filed an affidavit stating that he has no objection if bail is granted to the applicant. Record has been perused with their able assistance.

4. Perusal of record reflects the following material aspects:

- (a) The incident allegedly took place on 27.01.2026, whereas the FIR has been lodged with a delay of about five days, for which no plausible explanation has been furnished, which *prima facie* creates doubt regarding the authenticity of the prosecution story.

- (b) The applicant was not arrested from the place of occurrence and no incriminating article or weapon has been recovered from his possession, which weakens the nexus of the applicant with the alleged offence.
- (c) The case of the prosecution rests mainly upon the bare statement of the complainant without any independent corroboration, as no private witness from the locality has been associated.
- (d) The question of identification of the applicant at the spot, in the circumstances narrated in the FIR, requires deeper appreciation of evidence, which can only be undertaken at the time of trial.
- (e) The plea of false implication, coupled with allegation of prior detention and subsequent nomination, though tentative in nature at this stage, cannot be brushed aside without recording evidence.
- (f) Significantly, the complainant himself has filed a no-objection affidavit stating that he has no objection to the grant of bail to the applicant, which further dilutes the prosecution case to a considerable extent.
- (g) No previous criminal record of the applicant has been brought on record, thus *prima facie* he does not appear to be a hardened criminal.
- (h) The case, therefore, calls for further inquiry within the meaning of section 497 (2) Cr.P.C.

5. It is by now a settled principle of law that bail is not to be withheld as punishment and any doubt, if arises, is to be extended in favour of the accused. At this stage, only tentative assessment of the material is to be made and deeper appreciation of evidence is to be avoided.

6. In view of the above circumstances, I am of the considered view that the applicant has made out a case for grant of post-arrest bail. Consequently, the instant Criminal Bail Application is **allowed**. The applicant/accused Abdul Rehman son of Allah Warayo is admitted to post-arrest bail in the aforesaid case, subject to furnishing solvent surety in the sum of Rs.50,000/- (Rupees Fifty Thousand only) and P.R bond in

the like amount to the satisfaction of the learned Additional Registrar of this Court.

7. It is clarified that the observations made herein are purely tentative in nature and shall not influence the trial Court in any manner.

8. Criminal bail application stands **allowed**.

JUDGE

Abdullah Channa/PS*