

Order Sheet  
**IN THE HIGH COURT OF SINDH,  
CIRCUIT COURT, HYDERABAD**

Cr. Bail Appl. No. S- 1398 of 2025

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DATE

ORDER WITH SIGNATURE OF JUDGE

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09.02.2026

For orders on office objections  
For hearing of main case

M/s. Ishrat Ali Lohar & Abid Hussain Chang, Advocate for applicant  
Mr. Sameeullah Rind, Advocate for Complainant  
Mr. Altaf Hussain Khokhar, A.P.G.

**ORDER**

**Omar Sial, J.** - Mohammad Hussain seeks post-arrest bail in crime number 117 of 2025 registered under sections 302 and 34 P.P.C. at the Husri police station. The F.I.R. was registered on 11.06.2024 on the complaint of Yar Mohammad, who reported an offence that occurred on 06.06.2024.

2. Yar Mohammad reported that his son, Mohammad Jamil, left home on his motorcycle on 06.06.2024 at about 5:35 pm but did not return. His phone was found switched off. The next day, i.e., 07.06.2024, several male members of the complainant's family went looking for Jamil. They were informed by a relative, Khan Mohammad, that some unidentified people had forcibly taken Jamil. Later, unidentified individuals told the complainant that Hussain Bhurgari (the applicant), Mureed Bhurgari, and two unknown persons had taken him to a crop field. The complainant party followed the lead and saw that Hussain Bhurgari was pointing his finger at Jamil and saying that he should keep away from his fiancé and then all four persons started to beat Jamil. After beating Jamil, the four men held the complainant men hostage till Fajar, after which they left, hurling threats. Jamil had died.

3. I have heard the applicant's and the complainant's learned counsel and the learned Assistant Prosecutor General.

4. The story narrated in the F.I.R. is vague and ambiguous, and it calls for further inquiry into the incident. If Jamil had been abducted in a vehicle (as claimed by Khan Mohammad), then how did he appear in the crop field? Who told the complainant party that he had been taken into a field? The complainant

party, comprising several adult men, then kept standing and hearing and looking from a close range as to what was happening, but did nothing to stop the beating. If on 07.06.2024 the complainant knew who the killer was, then why did he not report the incident to the police for 4 days? A submission made is that he was afraid. I find the reason completely unsatisfactory, as it seems the fear lasted only 4 days, and nothing changed. The motive alleged by the complainant of Imran being in love with Hussain's fiancée remained unexplored and uninvestigated. No independent witness has been cited. Allegedly, a hatchet was recovered on the applicant's lead ten days after his arrest. The forensic expert has concluded that there was no blood found on the hatchet sent to him for analysis. This aspect also requires further inquiry.

5. Given the above, the applicant is admitted to post-arrest bail subject to his furnishing a solvent surety of Rs. 200,000 (Two hundred thousand) and a P.R. Bond for the same amount to the satisfaction of the learned trial court.

JUDGE

karar\_hussain/PS\*