

THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA

Before:

Mr. Justice Shamsudin Abbasi, J.

Mr. Justice Khalid Hussain Shahani, J.

Criminal Bail Application No. D-95 of 2025

Applicant: Abdul Karim son of Muhammad Essa Dahani
Through Mr. Habibullah G. Ghouri, Advocate.

The State: Through Mr. Ali Anwar Kandhro, Additional Prosecutor
General, Sindh assisted by Mr. Zain-ul-Abideen Abbasi,
Assistant Prosecutor General, Sindh.

Date of hearing: 01.01.2026

Date of Order: 01.01.2026

ORDER

KHALID HUSSAIN SHAHANI, J.—Applicant Abdul Karim Dahani, seeking post-arrest bail in a case bearing Crime No. 62/2025, registered at Police Station Tangwani, District Kashmore-Kandhkot, for offences under Sections 23(1)(a) and 25 of the Sindh Arms Act, 2013. It is noted that a previous bail application in the same matter was dismissed by the learned Judge, Anti-Terrorism Court, Kashmore at Kandhkot, vide order dated 08.10.2025.

2. Learned counsel for the applicant has urged that the impugned arms case is an offshoot of the main case, Crime No. 53/2025, registered at the same police station under Sections 302, 384, 385, 386, 337-H(ii), 148, 149 PPC read with Sections 6/7 of the Anti-Terrorism Act, 1997. It is contended that the alleged weapon was foisted upon the applicant by the police with the ulterior motive of strengthening the main case, and that the applicant has already been granted bail in that principal case. In view of this, it is submitted that the applicant is entitled to be enlarged on bail in this ancillary arms case as well, in the interest of consistency and fairness.

3. On the other hand, learned Additional Prosecutor General has strenuously opposed the grant of bail, asserting that a Kalashnikov was recovered from the possession of the applicant/accused and that the same weapon was utilised in the main case.

4. This Court has carefully heard the submissions of learned counsel for the applicant as well as learned Additional Prosecutor General appearing for the State, and has duly perused the record and material placed before it.

5. It stands admitted on record that the instant case, Crime No. 62/2025, is an offshoot of the main case, Crime No. 53/2025, registered at Police Station Tangwani, District Kashmore-Kandhkot, under Sections 302, 384, 385, 386, 337-H(ii), 148, 149 PPC read with Sections 6/7 of the Anti-Terrorism Act, 1997. Significantly, the applicant has already been granted bail in that main case. In such circumstances, where applicant has been admitted on bail therein, it would be manifestly inequitable and inconsistent to continue the detention of the same accused in a connected, derivative case arising from the same transaction.

6. Having regard to the admitted nature of this case as an offshoot of the main case in which bail has already been granted, and in the interest of justice, fairness, and the consistent treatment of connected proceedings, we are persuaded that the ends of justice require the release of the applicant on bail in the present application.

7. In these circumstances, the instant Criminal Bail Application is allowed. The applicant, Abdul Karim Dahani, shall be released on bail forthwith, subject to his furnishing a solvent surety in the sum of Rs. 100,000/- (Rupees one hundred thousand only) and a personal recognisance bond in the like amount, to the satisfaction of the learned trial Court.

Judge

Judge

Manzoor