

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Cr. Bail Appln. No. S-1112 of 2025

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Cr. Bail Appln. No. S-1218 of 2025

Applicant : Abdul Rasheed @ Rasheed Khan s/o Mazar, Shar
Through Mr. Shabbier Ali Bozdar, Advocate

The State : Mr. Mansoor Ahmed Shaikh, DPG

Date of hearing : 29.01.2026

Date of Order : 29.01.2026

ORDER

KHALID HUSSAIN SHAHANI, J.– The applicant, Abdul Rasheed @ Rasheed Khan Shar, seeks post–arrest bail in a Case bearing Crime No.94 of 2025, for offences under Sections 302, 311, 201, 114 and 34, P.P.C, registered at Police Station Wasti Jiwan Shah, District Ghotki. His earlier bail plea was declined by the learned Additional Sessions Judge–II/(GBV Court), Mirpur Mathelo, vide order dated 27.10.2025.

2. At the very outset, learned counsel for the applicant stated that he does not press Criminal Bail Application No. S–1112 of 2025, which, accordingly, stands dismissed as not pressed.

3. As per the contents of the F.I.R., on 30.09.2025, the complainant A.S.I. Khamiso Khan Kori, while on patrol along with subordinate staff, allegedly received spy information that on 28.09.2025 at about 1600 hours, accused Nazir Ahmed and Jumo, both armed with K.Ks, together with the present applicant Abdul Rasheed, who was empty–handed, and one unknown accused also armed with K.K, had taken Mst. Farzana, daughter of Fatah Muhammad and wife of Nazir Ahmed, aged about 22 years, after declaring her “*kari*” with an unknown person. The accused persons allegedly took her towards the lands of Ghous Bux, situated at the left bank of the Indus river, where, on the instigation of the present applicant, accused Nazir Ahmed and the unknown person opened straight fire upon her, causing

her death at the spot. It is further alleged that they subsequently threw her dead body into the Indus River to destroy the evidence. After receiving the said information, the complainant party proceeded to the pointed place, found footprints of the culprits, and conducted search operations, but the dead body could not be recovered. Consequent upon; case was registered inter alia on the above facts on behalf of the State.

4. Learned counsel for the applicant contended that the F.I.R. is based entirely on hearsay information without disclosure of any source thereof. No eyewitness has been cited to the occurrence, and the applicant's alleged role is restricted to instigation only, without attribution of any overt act. It is further pointed out that as per *hulya*-form, the applicant is about 75 years of age. Learned counsel has also placed reliance upon an affidavit duly sworn by Fatah Muhammad, father of the deceased lady, who has categorically expressed no objection to the grant of bail in favor of the applicant, asserting his innocence.

5. Conversely, the learned D.P.G, while opposing the plea, has fairly conceded that except the alleged instigation, there appears to be no direct evidence connecting the present applicant with the commission of the offence.

6. Heard the learned counsel for the respective parties and perused the record. A bare reading of the F.I.R *prima facie* suggests that the entire story rests upon unverified and hearsay information, with no disclosure of its source. It is also an admitted position that the dead body of the alleged deceased has yet not been recovered, rendering the cause and nature of her death uncertain. The role assigned to the applicant is that of instigation alone, and he was allegedly empty-handed at the scene of occurrence. Furthermore, according to the *hulya*-form, the applicant's date of birth is 10.07.1950, which makes him more than 75 years of age; hence, he qualifies

for the benefit of the third proviso to Section 497 Cr.P.C. The sworn affidavit of the deceased's father, exonerating the applicant, further supports his plea of innocence. In these circumstances, the applicant's case, prima facie, falls within the ambit of further inquiry as contemplated under Section 497(2) Cr.P.C.

7. In view of the foregoing discussion, the applicant Abdul Rasheed @ Rasheed Khan is admitted to post-arrest bail subject to his furnishing solvent surety in the sum of Rs.500,000/- (Rupees Five Hundred Thousand only) and a P.R bond in the like amount, to the satisfaction of the learned trial Court.

8. Office is directed to place a signed copy of this order in the connected matter.

J U D G E