

IN THE HIGH COURT OF SINDH CIRCUIT COURT LARKANA

1<sup>st</sup> Cr. Bail Application No. D-128 of 2025

**Before;**

*Mr. Justice Abdul Mobeen Lakho;  
Mr. Justice Abdul Hamid Bhurgri.*

Applicant : Muhammad Sachal @ Sachalo son of  
Pandhi by caste Malik, through Mr.  
Habibullah G.Ghour, Advocate.

The State : Through Mr. Aitbar Ali Bullo,  
D.P.G.

Date of Hearing : 13.04.2026  
Date of Order : 13.04.2026.  
Date of Reasons : 14.04.2026.

**ORDER**

**Abdul Hamid Bhurgri J.**- Through the instant bail application, the applicant, namely Muhammad Sachal @ Sachalo son of Pandhi by caste Malik, seeks post-arrest bail in Crime No.03 of 2023, registered at Police Station Geehalpur, District Kashmore @ Kandhkot, for offences punishable under Sections 302, 324, 353, 440, 148, 149, P.P.C., read with Sections 6/7 of the Anti-Terrorism Act, after dismissal of his bail application by the learned Judge, Anti-Terrorism Court, Kashmore @ Kandhkot, vide order dated 13.11.2025.

2. As per the F.I.R., on 15.04.2023, after visiting the sites of police pickets proposed to be constructed, at about 0900 hours, the complainant/ASI Bashir, along with his subordinate staff and Inspector Gul Muhammad Mahar, S.H.O., Police Station Baxapur, along with his staff, was present at Meer Kosh Damdamu, when 22 accused persons, duly armed with deadly weapons, emerged there and were identified as: (1) Bakhat Ali @ Bakhto, (2) Badheel, (3) Mubeen, (4) Arbelo, (5) Ibrahim, (6) Ishaque, (7) Bashir Ali @ Bashu, (8)

Sabgatullah @ Rashid, (9) Nasrullah @ Nasroo, (10) Abdul Rauf, (11) Abdul Hameed, all armed with G-3 rifles; (12) Lalu, (13) Meelano, (14) Siddique, (15) Karamullah @ Karmoo, (16) Bhooro, (17) Manhi, and (18) Arbu, armed with K.Ks, while four accused were unknown armed with G-3 rifles. It is alleged that accused Bakhat Ali @ Bakhto made direct fire with his G-3 rifle upon HC Huda Khan, who fell down after receiving firearm injuries, and accused Ibrahim made direct fire with his G-3 rifle upon PC Sabir Ali, who also fell down after sustaining firearm injuries. The police party retaliated; however, the accused persons continued making indiscriminate firing upon the police party, which continued for about 15 minutes, and thereafter they fled away from the scene. After the firing stopped, the complainant found that both injured had succumbed to their injuries at the spot. The complainant further noticed that Inspector Gul Muhammad, PC Shehak Ali, PC Abdul Wahab, PC Misri and DPC Ali Gul had also sustained firearm injuries. The police mobile and the official S.M.G. carried by PC Misri were also allegedly damaged due to firing by the accused, whereafter a mashirnama was prepared. The dead bodies and injured were shifted to hospital. On the next day, i.e., 16.04.2023 at 1800 hours, the instant F.I.R. was lodged.

3. Subsequently, the present applicant was introduced during investigation through the supplementary statements of the prosecution witnesses.

4. Learned counsel for the applicant contended that the applicant has falsely been implicated in this case by the police merely to show their efficiency to higher authorities. He argued that the

applicant was not nominated in the F.I.R., which itself was lodged with a delay of one day without any plausible explanation. He further contended that the applicant was involved through supplementary statements recorded after three days of the incident, which creates serious doubt in the prosecution story. He next submitted that only a general role of firing has been assigned to the applicant and no specific overt act has been attributed to him. He further argued that no incriminating article or weapon has been recovered from the possession of the applicant so as to connect him with the commission of the alleged offence. Lastly, he contended that all the prosecution witnesses are police officials subordinate to the complainant and are, therefore, interested witnesses; hence, according to him, the case calls for further inquiry within the meaning of Section 497(2), Cr.P.C.

5. Conversely, learned Deputy Prosecutor General opposed the grant of bail and submitted that though the applicant was not nominated in the F.I.R., he was specifically involved in the supplementary statements of the injured/prosecution witnesses and has been assigned the role of firing upon the police party. He further contended that the prosecution case is fully supported by ocular account as well as medical evidence. According to him, the delay in lodging the F.I.R. stands plausibly explained, as the police party remained busy in shifting the injured to hospital and in completing the necessary formalities relating to the postmortem of the deceased police officials. He further submitted that the remaining contentions raised by learned counsel for the applicant require deeper appreciation of

evidence, which is not permissible at the bail stage. He, therefore, prayed for dismissal of the instant bail application.

6. We have heard learned counsel for the parties and have perused the material available on record. It appears that in the F.I.R. it was specifically mentioned that the unknown accused persons could be recognized if seen again. The name of the present applicant surfaced during investigation through the supplementary statements of the injured/prosecution witnesses, wherein he has been assigned the role of firing upon the police party. Though no specific injury has been attributed to the present applicant, yet the allegation against him is of active participation in the occurrence while armed with a deadly weapon and sharing the common object of the unlawful assembly with the principal accused. At this stage, his presence at the place of occurrence and his alleged physical participation in the commission of the offence, in the company of the principal accused, prima facie require deeper appreciation of evidence, which is not permissible while deciding a bail application.

7. So far as the delay in lodging the F.I.R. is concerned, the same appears to have been plausibly explained in the F.I.R. itself, as the complainant and other police officials were occupied in shifting the injured to hospital and in completing the necessary formalities in connection with the postmortem of the deceased police officials. The prosecution case is prima facie supported by ocular account and medical evidence. The applicant has also failed to point out any previous enmity, ill-will, or ulterior motive on the part of the complainant party or the police officials for his false implication in

such a heinous offence involving the murder of two police officials and injuries to others. The remaining submissions raised by the learned counsel pertain to deeper appreciation of evidence, which cannot be undertaken at this stage.

8. On tentative assessment of the material available on record, there appear to be reasonable grounds to believe that the applicant is connected with the commission of the alleged offence. The case, therefore, does not fall within the ambit of Section 497(2), Cr.P.C. Accordingly, the instant bail application is dismissed.

9. Since the applicant is in custody, the learned trial Court is directed to proceed with the trial expeditiously and conclude the same, preferably within a period of three months after receipt of this order, without granting unnecessary adjournments to either side.

10. The observations made herein are purely tentative in nature and shall not prejudice the case of either party at the trial.

11. These are the reasons for our short order dated 13.04.2026.

*J U D G E*

*J U D G E*