

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA

CrI. Bail Appln. No.S-247 of 2026.

DATE OF HEARING	ORDER WITH SIGNATURE OF HON'BLE JUDGE
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1. For orders on office objection 'A'.
2. For hearing of bail application.

11.06.2026

Mr. Abdul Rehman A. Bhutto, advocate for the applicant.

Mr. Aitbar Ali Bullo, D.P.G.

Complainant is present in person.

ORDER.

RIAZAT ALI SAHAR, J- The applicant, Ayaz Ahmed son of Hakim Ali Khoso, seeks post-arrest bail in Crime No.55/2026 registered at Police Station Kashmore for offences punishable under Sections 365-B, 452, PPC and Section 3 of the TIP Act, 2018.

2. The facts and particulars of the FIR are already available in the bail application and the crime report. The same can conveniently be gathered from the copy of FIR annexed with the bail application; therefore, reproduction thereof is not considered necessary.

3. Learned Counsel for the applicant contends that the FIR was lodged with an unexplained delay of one day; that the complainant Inayatullah and PW Azizullah have submitted their affidavits before the learned trial Court wherein they have expressed no objection if the applicant is granted bail. Learned Counsel further submits that the impugned order dated 20.05.2026 reflects that the alleged abductee has also submitted her affidavit before the trial Court, expressing no objection to the grant of bail in favour of the applicant. On these grounds, he prays for grant of bail to the applicant in the interest of justice.

4. Learned D.P.G. submits that since the complainant, PWs and the alleged abductee have already submitted affidavits expressing no objection to the grant of bail, therefore, he has no objection to the grant of bail to the applicant/accused.

5. I have heard the learned Counsel for the parties and examined the available record. It is an admitted position that the complainant as well as the victim/alleged abductee have filed affidavits expressing no objection to the grant of bail. However, in cases involving serious allegations, such affidavits by themselves cannot be treated as conclusive or sufficient ground for grant of bail and cannot override the merits of the case. Nevertheless, such circumstances may be taken into consideration along with other attending facts and circumstances of the case.

6. In the present matter, the record reflects certain aspects which, at this tentative stage, bring the case within the ambit of further inquiry as contemplated under Section 497(2), Cr.P.C. It has further come on record that the challan has already been submitted before the competent Court and the applicant/accused is no longer required for the purpose of investigation. The continued incarceration of the applicant, when the investigation has already been concluded and the evidence is secured by the prosecution, would not serve any useful purpose.

7. Keeping in view the above facts and circumstances, I am of the tentative view that the case of the applicant falls within the scope of further inquiry as envisaged under Section 497(2), Cr.P.C.

8. Consequently, the applicant/accused was admitted to bail vide order dated 11.06.2026 subject to furnishing solvent surety in the sum of Rs.100,000/- (Rupees One Hundred Thousand) and P.R. bond in the like amount to the satisfaction of the learned trial Court. These are the reasons thereof.

Judge

M.Yousuf Panhwar/**