

**HIGH COURT OF SINDH CIRCUIT COURT MIRPURKHAS**

**Criminal Bail Application No.S-110 of 2026**

**Applicant:** Sajjad Ali son of Abu Bakar.  
Through Miss. Yasmin Baloch,  
Advocate.

**Complainant:** Adnan son of Ahmed Ali.  
Through Mr. Nadeem Abbasi, Advocate.

**Respondent:** The State.  
Through Mr. Ghulam Abbas Dalwani, D.P.G.

**Date of hearing:** 03.07.2026

**Date of Order:** 03.07.2026

**ORDER**

**KHALID HUSSAIN SHAHANI, J.**—By means of the instant application, the applicant seeks enlargement on post-arrest bail in connection with Crime No. 07 of 2026, registered under Sections 354 and 397, P.P.C., at Police Station Satellite Town, Mirpurkhas. Earlier application for the like relief was declined by the learned 1st Additional Sessions Judge, Mirpurkhas, vide order dated 02.03.2026.

2. I have heard the learned counsel appearing for the respective parties at considerable length and have, with their able assistance, subjected the material available on record to anxious scrutiny.

3. It is an undisputed feature of the case that the offences enumerated in the FIR do not attract the prohibitory clause of Section 497(1), Cr.P.C., a provision under which the grant of bail constitutes the rule and its refusal the exception. It further merits notice that the applicant does not carry the burden of any

antecedent criminal history, and whether he stands connected with offences of a similar character remains a matter to be resolved only upon the recording of evidence at trial.

4. A further circumstance of consequence is that both the complainant and the victim have placed on record duly sworn affidavits absolving the applicant of the alleged offence and voicing no objection to the grant of bail. While such affidavits cannot, by themselves, be treated as conclusive of the matter, they nonetheless lend considerable weight to the tentative view that the prosecution's case suffers from an element of doubt.

5. It may also be noted that the learned Deputy Prosecutor General, assisted by learned counsel for the complainant, has not resisted the applicant's prayer for bail.

6. Weighing the aforementioned circumstances in their cumulative effect, I am persuaded that the case set up against the applicant falls squarely within the contemplation of "further inquiry" as envisaged under Section 497(2), Cr.P.C. At this preliminary stage, no material has been brought on record sufficient to warrant the applicant's continued incarceration. It is by now axiomatic that where the case against an accused calls for further inquiry into his culpability, the concession of bail follows as a matter of right rather than as an act of judicial grace.

7. For the reasons recorded above, the instant bail application is allowed, and the applicant is admitted to post-arrest bail subject to his furnishing solvent surety in the sum of Rs.

100,000/- (Rupees One Lac only), together with a personal bond in the like amount, to the satisfaction of the learned Trial Court.

8. It is clarified, for the avoidance of doubt, that the observations recorded hereinabove are of a tentative nature and shall not be construed as an expression of opinion on the merits of the case, nor shall they fetter the discretion of the learned Trial Court in deciding the matter on its own merits.

**JUDGE**

*\*Adnan Ashraf Nizamani\**