

HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Cr. Bail Application No.S-472 of 2026.

Cr. Bail Application No.S-473 of 2026.

[Bhaag Chand Oad Vs. The State]

Applicant : Bhaag Chand Oad **through** Mr. Nasrullah Unar,
(In Both B.A). Advocate.

Respondent : The State **through** Ms. Rameshan Oad, Deputy
Prosecutor General, Sindh.

Date of Hearing : 09.07.2026.

Date of Decision : 09.07.2026.

ORDER

Syed Fiaz ul Hassan Shah, J :- Through these two Bail Applications, the Applicant above-named seeks post-arrest Bail in F.I.R No.14/2026, registered at Police Station Odero Lal Village, District Matiari for offence punishable under Section 412 PPC **AND** in F.I.R No.15/2026, registered at Police Station Odero Lal Village, District Matiari for offence punishable under Section 23-(i) Sindh Arms Act, 2013. Previously, he applied for the same relief before learned Sessions Judge, Matiari in above mentioned both crimes through separate Bail Applications, but the request was declined vide separate orders dated 12.03.2026.

2. The Applicant booked in crime No.14 of 2026 for offence punishable under Section 412 PPC of PS Odero Lal Village, District Matiari on the allegation that on 09.03.2026 during patrolling near Raho *Patri* link road Odero Lal Village, applicant was arrested and recovered motorcycle, which later revealed was a subject matter of a robbery in crime No.150 of 2024 under Section 392, 34-PPC of PS Matiari. Since, the pistol was recovered from the possession of applicant/accused; therefore, a separate FIR bearing crime No.15 of 2026 for offence punishable under Section 23-(i) Sindh Arms Act, 2013 was registered.

3. The learned counsel for the applicant states that firstly in the main case bearing crime No.150 of 2024, the present applicant has been enlarged

on the concession of post arrest bail by the Trial Court vide order dated 11.06.2026. He next contended that the descriptions of robbed motorcycle as alleged by the prosecution is not mentioned neither in the FIR nor in the memorandum of recovery and arrest, which makes the case of the applicant as one of further inquiry.

4. On the other hand, learned Deputy Prosecution General though opposed the Bail Application, but conceded that the description of alleged recovered motorcycle is not mentioned in the FIR as well as in the memorandum of arrest and recovery of the present applicant.

5. Heard learned counsel for parties and perused the record with their assistance.

6. On examination of FIR No.150 of 2024 registered under Section 392, 34-PPC at PS Matiari, it appears that the complainant claims motorcycle Express bearing Engine No.115025, Chassis No.113459, registration Nil, Model-2021 and Color Black, while these descriptions of engine number, chassis number or color of the motorcycle are not mentioned in the present FIR bearing crime No.14 of 2026 registered under Section 412-PPC for the recovery of robbed / stolen property as mentioned in the earlier FIR No.150 of 2024, which makes the case of the applicant as one of further inquiry. It is to be determined by the Trial Court, whether the motorcycle allegedly recovered by the police is the same as referred in the earlier crime No.150 of 2024 that it was robbed or that when applicant earlier arrested in main FIR No.150 of 2024 what was ground to avoid recovery of such motorcycle as has now been recovered and a separate case registered. Besides, the applicant has already been granted post arrest bail by the Trial Court vide order dated 11.06.2026 in main case. The applicant was arrested on 09.03.2026 and no fruitful result would be achieved by keeping incarceration the Applicant for in-calculable time of Trial when the investigation has already been completed and applicant is no more required for the purpose of investigation.

7. Similarly, the second case for the recovery of pistol was registered under section 23 Sindh Arms Act, 2013 which provide sentence upto seven years or fine or with both and made the case outside the limb of Prohibitory

clause where grant of bail is a right while its refusal is an exception. Furthermore, the applicant has already been granted bail in the main case and it is the Trial Court to determine the recovery of pistol after concluding evidence.

8. In view of above, the present applicant/accused (**Bhaag Chand Oad**) is admitted to bail in above mentioned both crimes subject to his furnishing solvent surety in the sum of Rs.50,000/- (Rupees Fifty Thousand only) **each** and P.R Bond in the like amount to the satisfaction of learned trial Court.

9. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the learned trial Court while deciding the case of the applicant/accused on merits.

J U D G E

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