

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA
Criminal Bail Application No. S-355 of 2026

Applicant : Adil son of Azam Soomro, through
Mr. Imran Haider Soomro, Advocate

Respondent : The State
Through Aitbar Ali Bullo, Deputy Prosecutor
General, Sindh.

Date of Hearing : 17.08.2026

Date of Order : 17.08.2026

ORDER

ZULFIQAR ALI SANGI, J.— Through this Bail Application, the applicant/accused Adil seeks pre-arrest bail in Crime No.61 of 2026 registered at Police Station K.N. Shah, for an offence under Section 379 PPC, after his bail plea was declined by the learned Additional Sessions Judge-II, Mehar, vide order dated 26.03.2026.

2. The facts of the case are already mentioned in the FIR as well as in the impugned order, therefore, there is no need to reproduce the same.

3. Learned counsel for the applicant contends that the applicant has been falsely implicated in the present case due to previous dispute between the parties. He submits that there is an unexplained delay of about 22 hours in registration of the FIR, although the Police Station is situated at a short distance from the place of occurrence. He further contends that the incident allegedly took place during night hours and the identification of the applicant is doubtful. He also submits that no recovery of the alleged LCD has been effected from the applicant. In support of his contention, learned counsel places on record the order dated 11.08.2025 passed by the learned Additional Sessions Judge-IV, Dadu, in CrI. Misc. Application No.263 of 2025 under Section 491 Cr.P.C., which, according to him, reflects the previous dispute between the parties. He further submits that the Investigating Officer had recommended the disposal the case under 'C' class; however, he is unaware of the fate of such proceedings.

4. On the other hand, learned Deputy P.G, Sindh opposes the bail application on the ground that the applicant committed theft of the LCD; therefore, he is not entitled for the concession of bail.

5. I have heard the learned counsel for the parties and have gone through the material available on record.

6. Perusal of the FIR shows that the applicant is nominated with the allegation of taking away the LCD during night hours. However, there is a delay of about 22 hours in registration of the FIR, for which no plausible explanation is available on record. It is also not disputed that no recovery of the alleged stolen LCD has been effected from the applicant. Further, the FIR itself reflects that in the morning the complainant party met the accused persons, who allegedly assured them to return the LCD and a "Faisla" was also discussed between the parties.

7. The order dated 11.08.2025 produced by learned counsel for the applicant also reflects that there was a dispute between the parties. Moreover, it has been stated that the Investigating Officer had recommended the disposal of the case under 'C' class, but learned counsel is unaware of the fate of such report submitted by the I.O. It is also noted that the offence under Section 379 PPC does not fall within the prohibitory clause of Section 497 Cr.P.C. Considering the above facts and circumstances, the applicant has made out a case for further inquiry within the meaning of Section 497(2) Cr.P.C.

8. In view of the foregoing, the instant Bail Application is **allowed** and the interim pre-arrest bail granted to the applicant/accused by this Court vide order dated 20.07.2026 is hereby **confirmed** on the same terms and conditions.

9. Needless to mention that the observations made hereinabove are tentative in nature and shall not prejudice the case of either party nor influence the learned trial Court while deciding the case on merits.

JUDGE