

THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Crl. Bail Application No.S-730 of 2026
Crl. Bail Application No.S-788 of 2026

Applicant(s) : (i) Karam Ali Shah (Crl.B.A.No.S-730 of 2026) through Syed Zafar Ali Shah, Advocate a/w applicant
(ii) Zameer Shah alias Raham Ali Shah (Crl.B.A.No.S-788 of 2026) through Mr. Abdul Sattar Brohi, Advocate

Complainant : Ghulam Qadir through Mr. Waqar Ahmed Bozdar, Advocate.

Respondent : The State through Mr. Muhammad Raza Katohar, Deputy Prosecutor General.

Date of Hearing : 21-09-2026
Date of Order : 21-09-2026

ORDER

TASNEEM SULTANA, J.- Through these Criminal Bail Applications, applicant Karam Ali Shah seeks pre-arrest bail and applicant Zameer Shah alias Raham Ali Shah seeks post-arrest bail in Crime No.44 of 2026, registered at Police Station Tamachani, Sukkur, for offences punishable under Sections 452, 365-B, 148 and 149, P.P.C., read with Section 3 of the Prevention of Trafficking in Persons Act, 2018, after their bail pleas were declined by the learned Judge, Special Court (Designated) Anti-Rape/GBV/II-Additional Sessions Judge, Sukkur, vide orders dated 14.07.2026 and 03.08.2026. Since both these bail applications arise out of the same crime, they are being decided through this common order.

2. The detailed facts of the case are already set out in the bail applications and the F.I.R. and, therefore, need not be reproduced in detail.

3. Learned counsel for the applicants contended that the applicants have falsely been implicated owing to mala fide intention; that no specific overt act has been attributed to them in the F.I.R., whereas the act of taking away the alleged abductee has been attributed to co-accused Asif Ali Shah; that the F.I.R. was lodged after a delay for which no plausible explanation has been furnished; and that the case calls for further inquiry. It was, therefore, contended that applicant Karam Ali Shah is

entitled to pre-arrest bail, whereas applicant Zameer Shah alias Raham Ali Shah is entitled to post-arrest bail.

4. Conversely, learned Deputy Prosecutor General, assisted by learned counsel for the complainant, opposed both applications and submitted that the applicants are nominated in the F.I.R. and participated in the occurrence along with the co-accused; that, after her recovery, the alleged abductee implicated the applicants in her statements recorded under Sections 161 and 164, Cr.P.C.; that the delay in lodging the F.I.R. stands explained; and that the offence under Section 365-B, P.P.C. falls within the prohibitory clause. It was further contended that applicant Karam Ali Shah has failed to establish mala fide or ulterior motive for the grant of pre-arrest bail. Dismissal of both applications was accordingly prayed for.

5. Heard. Record perused.

6. Perusal of the record reflects that the present applicants, along with the other co-accused, while armed with weapons, trespassed into the house of the complainant. Thereafter, co-accused Asif Ali Shah allegedly took away the complainant's wife. After recovery of the alleged abductee, her statements under Sections 161 and 164, Cr.P.C. were recorded, wherein she supported the complainant's version and fully implicated the applicants by assigning them a specific role in her abduction, while specifically stating that co-accused Asif Ali Shah committed zina with her. Thus, the material available on record is prima facie sufficient to connect the applicants with the commission of the alleged offence. The offence under Section 365-B, P.P.C. is punishable with imprisonment for life and, therefore, falls within the prohibitory clause of Section 497(1), Cr.P.C.

7. The applicants have not placed any material on record to substantiate their plea of mala fide or ulterior motive. The plea of false implication is, therefore, not supported by any material available on record. As regards the delay in registration of the F.I.R., the F.I.R. itself explains that the complainant initially approached local elders and went to the police when those efforts failed. In these circumstances, the delay does not, at this stage, warrant grant of bail.

8. In view of the above facts and circumstances, the applicants, namely Karam Ali Shah and Zameer Shah alias Raham Ali Shah, have failed to make out cases for

the grant of pre-arrest and post-arrest bail, respectively. Consequently, both bail applications were dismissed vide short order dated 21.09.2026, and the interim pre-arrest bail granted to applicant Karam Ali Shah in Crl. B.A. No. S-730 of 2026 vide order dated 17.08.2026 was recalled. These are the reasons for the said short order.

9. Needless to mention, the observations made herein are tentative in nature and shall not prejudice the case of either party at trial.

Office to place signed copy of this order in captioned connected matter.



J U D G E

Ahmad