

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR.  
Criminal Bail Application No.S-862 of 2026.

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| DATE OF HEARING | ORDER WITH SIGNATURE OF JUDGE |
|-----------------|-------------------------------|

Applicants: Nadeem S/O Dadlo Hindu/Oad  
Through M/S Zulfiqar Ali Panhwar &  
Mr. Deedar Ali Chohan Advocate.

The State: Through Ms. Shabana Nauheed A.PG.

Date of hearing & order: **24.09.2026.**

**Suresh Kumar J:-** Through this Criminal Bail Application applicant/accused Nadeem Oad seeks his post-arrest bail in Crime No.189 /2026 for an Offence Punishable U/S 23(i)(a) of Sindh Arms Act,2013, registered at Police Station, Mirpur-Mathelo, District Ghotki.

2. Concisely, the facts of the prosecution as depicted in the FIR are that on 11.08.2026, the complainant, HC Ali Akbar Dahar, lodged an FIR at Police Station Mirpur-Mathelo, stating that on the aforementioned date, he arrested the applicant/accused along with an unlicensed .30 bore pistol with a magazine containing three live bullets. After completing the formalities, the applicant was brought to the Police Station, where the complainant lodged the FIR."

3. The applicant initially applied for grant of post arrest bail, which was dismissed by learned Additional Sessions Judge-II, Ghotki, vide order dated 04.09.2026. Being aggrieved by this dismissal order, the applicant has approached this Court.

4. I have heard learned counsel for applicant, and learned A.P.G Sindh at length. Learned A.P.G has strongly opposed the grant of post arrest bail to the applicant/accused.

5. Having given due consideration to the arguments advanced by the learned counsel for the applicant and the learned Assistant Prosecutor General, and having perused the relevant material available on record, it is revealed from the examination of the FIR that the applicant/accused was

arrested at Mathelo Link Road; however, no independent persons have been associated for the attestation of the alleged recovery of the unlicensed .30 bore pistol. The applicant/accused has been in custody for approximately two months, and his case has not yet been concluded. No criminal record of similar cases has been presented by the Investigating Officer. Although the alleged offence is punishable by up to 14 years, there is little probability of the applicant/accused being convicted with the maximum sentence. Since all witnesses are police officials, there is no apprehension of tampering with the prosecution evidence. In similar circumstances, this Court, in the case of Ifran-ur-Rehman v. The State (2017 P.Cr.L.J Note-54), has observed as follows:

“---S.497---sindh Arms Act (v of 2013), S23(i)(a)---License for acquisition and possession of arms and ammunition---Bail grant of---Further inquiry---Accused was arrested from a populated area but police did not associate any private person as attesting witness---Accused was behind the bars for four months and prosecution has failed to examine a single witness to substantiate charge against accused—Accused was involved in another criminal, but he had been enlarged on bail in the said case---Recovery of bullets from accused was not mentioned in the FIR---Accused was not required for investigation---Alleged offence was punishable up-to ten years, however there was no probability of accuse being convicted with maximum sentence--- Accused was not a previous convict, hardened and dangerous criminal---al the prosecution witnesses were police officials, there was no apprehension of tamper with the prosecution evidence---Accused had succeeded to make out a case for further inquiry---Bail was granted accordingly.

6. Similar view has been taken by this Court in case of Nazeer Hussain v. The State (2018 YLR Note-132) and in another case of Muhammad Shafique v. The state. (2021 P.Cr.L.J 1553), wherein accused was granted bail

7. For the foregoing reasons and in light of the guidance taken from the above case law, I am of the considered view that the applicant/accused has made out a case for the grant of post-arrest bail in view of further inquiry. Consequently, the applicant/accused, Nadeem Oad, is admitted to bail, subject to furnishing a solvent surety in the sum of Rs. 50,000/- (Fifty thousand) and a PR bond in the like amount to the satisfaction of the trial court.

**JUDGE**