

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR**Crl. Bail Application No. S-770 of 2026**

Applicant: Zeeshan Ali @ Babar son of Raja Wilayat Ali @ Raja bycaste Golo (Now confined at District Jail Ghotki), **through** Mr. Alam Sher Khan Bozdar, Advocate.

The State **Through** Mr. Mansoor Ahmed Shaikh, Deputy Prosecutor General, Sindh.

Date of hearing & Orders: 28-09-2026.

ORDER.

Suresh Kumar, J--- Through, instant bail application, the applicant named above seeks post arrest bail in a case bearing crime No. 23/2026, offence u/s 392, 397, 337H(2) PPC, registered at Police Station A-Section Ghotki.

2. The facts of the prosecution case, as depicted in the FIR lodged by complainant Abdul Ghaffar Mahar, are as follows: On 28-01-2026, he and his brother Aijaz Ali, after disbursing the BISP payments through a biometric device to the beneficiaries, proceeded to Alpha Traders Franchise near Bago Wah Ghotki, where Aijaz Ali received an HBL Bank Branch cheque amounting to Rs. 3,800,000/- (thirty-eight lacs) in the name of Alpha Traders. This cheque was encashed by them, and they were returning towards Adilpur. At about 5:00 PM, when they reached the link road leading to Adilpur near Masssu Kalwar village, they were suddenly intercepted by three accused persons armed with pistols on a motorcycle. One of the accused was identified as Fida Hussain, while the remaining two persons were unidentified. The accused pointed their weapons towards the complainant party and ordered them to stop. The accused attempted to snatch a shopping bag containing the amount of Rs. 3,800,000/- from Aijaz Ali, but he resisted. Accused Fida Hussain fired shots from his pistol, with one bullet striking Aijaz Ali on the left side of his thigh and another bullet hitting the left side of his abdomen. The accused also struck Aijaz Ali on his right side and forehead with the butts of their pistols, and then robbed the shopping bag containing the cash amount. While making aerial firing, the accused persons escaped from the spot. Ultimately, the complainant appeared at the police station and lodged the aforementioned FIR.

3. I have heard learned counsel appearing on behalf of the applicant/accused, learned Deputy P.G for the State. Learned counsel for the applicant has relied upon the cases of Muhammad Nawaz alias Karo (2023 SCMR 734), Muhammad Jan Vs the State and another (2021 P.Cr.L.J 1380, Muhammad Usman Vs. The State and another (2017 P.Cr.L.J Note 78) and Muhammad Sarwar Vs. The State and others (2016 YLR Note 110).

4. Having given due consideration to the arguments advanced by the learned counsel appearing on behalf of the applicant and the learned DPG for the State, I have perused the relevant record. From the perusal of the FIR, it reveals that co-accused Fida Hussain and two unknown persons robbed a cash amount of Rs. 3,800,000/- (thirty-eight lacs) from Aijaz Ali, the brother of the complainant. It is further alleged that Aijaz Ali resisted and sustained firearm injuries at the hands of accused Fida Hussain; thereafter, all the accused persons fled from the spot after making aerial firing. The record further reveals that the applicant/accused was implicated on the basis of a further statement, the recovery of robbed articles, a pistol, and a forensic report showing that the pistol recovered from the possession of the applicant/accused matched the empty casings recovered from the scene of the incident. The learned counsel for the applicant has mainly contended that the role of the applicant/accused is on par with that of co-accused Zaheer Ahmed and Mansoor; therefore, the applicant is entitled to the same relief. However, the role of co-accused Zaheer Ahmed and Mansoor is on a different footing, as no crime weapon was recovered from them, nor was any empty casing matched with any weapon belonging to the co-accused. Besides the recovery of the robbed cash, the presence of the accused has been established as per the forensic report, as the weapon recovered from the applicant/accused was matched with the empty casings recovered from the scene of the incident. Therefore, prima facie, sufficient material is available on record that connects the applicant/accused with the commission of the offence. The alleged offence is punishable by up to 10 years and falls within the ambit of the prohibitory clause of section 497(1) Cr.P.C. The learned State counsel has also stated that there is a likelihood of the repetition of the offence, as the applicant is involved in other cases, as per the Criminal Record Office (CRO). From the perusal of the CRO, it appears that the applicant is also involved in Crime No. 23/2026 under sections 392 and

397 PPC at PS A-Section Ghotki, Crime No. 63/2026 under section 395, 511 PPC registered at Police Station A-Section Ghotki, Crime No. 71/2026 under section 25 of the Sindh Arms Act, 2013, Crime No. 63/2026 under section 324 PPC at PS Mirpur Mathelo, and Crime No. 01/2026 and Crime No. 02/2026 under section 324 PPC at PS Mirpur Mathelo. This indicates that the applicant has a previous criminal history.

5. With due respect and regards to the case law cited by learned counsel for the applicant/accused, but the facts and circumstances of the case law relied upon by learned counsel for the applicant are quite distinguishable from the case in hands; therefore, the same are not applicable in this case.

6. For the foregoing reasons, I am of considered view that the applicant/accused has failed to make out the case from gran of bail; therefore, instant bail application is dismissed.

7. Needless to say that the above observations are tentative in nature and will not prejudice the case of either party at the time of trial.

J U D G E