

THE HIGH COURT OF SINDH, CIRCUIT HYDERABAD

Crl. Bail Application No. S-595 of 2026

Applicant: Nadir Ali Khoso s/o Ghulam Hyder
Through Mr.Mashooque Ali Mahar, Advocate

The State: Through Mr.Ataf Hussain Khokhar, D.P.G

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

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

ORDER

ABDUL MOBEEN LAKHO-J, Through this Bail Application, applicant Nadir Ali Khoso seeks confirmation of interim pre-arrest bail in FIR No.01 of 2018, registered at Police Station ACE Dadu, for offences under Sections 409, 420, 464, 467, 468, 477-A and 34 PPC r/w Section 5(2) of Act-II of 1947. His earlier pre-arrest bail application was dismissed by the learned Special Judge Anti-Corruption (Provincial), Hyderabad vide order dated 24.04.2026.

2. Briefly, the prosecution case is that during an inquiry regarding alleged fraudulent withdrawal of land compensation amount relating to Sehwan-Rato Dero Dual Carriageway Project, it transpired that an amount of Rs.8,69,000/- was allegedly credited into the bank account of the present applicant through a forged voucher and accordingly, the present FIR was registered against him and other co-accused persons.

2. Learned counsel for the applicant contended that the alleged transactions pertain to the years 2013-2014 whereas the FIR was lodged in 2018, after considerable delay. He further submitted that the applicant's name did not transpire in the interim challan and was subsequently introduced in the final report under Section 173 Cr.P.C. It is further argued that several co-accused involved in the same FIR and

arising out of the same transaction have already been granted bail by this Court as well as by the learned trial Court, therefore, the applicant is entitled to the concession of bail on the principle of rule of consistency.

3. Learned A.P.G. opposed the application and supported the impugned order.

4. I have heard learned counsel for the parties and perused the material available on record.

5. Tentative assessment of the record reflects that the alleged occurrence relates to the years 2013-2014 while the FIR came to be registered on 27.02.2018 after about four years. The prosecution case predominantly rests upon documentary and banking record already in possession of the investigating agency. It further appears that in the same crime, co-accused Shafi Muhammad Memon, Muhammad Hanif Khoso and Waheed Ali Brohi were granted pre-arrest bail by this Court vide order dated 01.04.2019, wherein this Court observed that the FIR was delayed by about four years and the case required further inquiry within the contemplation of Section 497(2), Cr.P.C.

6. It further appears from the material placed on record that thereafter co-accused Ali Bux, Gulzar Ali Channa, Aslam Qambrani and Ali Hassan Bughio were also extended the concession of bail in the same case on the basis of parity and consistency.

7. The allegation against the present applicant is that an amount of Rs.8,69,000/- was credited into an account allegedly opened in his name. Whether the applicant himself operated such account, withdrew the amount or knowingly participated in the alleged fraudulent transaction are questions requiring evidence and final determination at trial. Significantly, the applicant's name did not appear in the interim

challan and was later shown in the final report under Section 173 Cr.P.C., which also constitutes a circumstance requiring deeper probe.

8. In the circumstances, without touching the merits of the case and keeping in view the earlier bail orders passed in favour of co-accused arising out of the same FIR, the delayed registration of the case and the principle of rule of consistency, I am of the tentative view that the applicant has made out a case for confirmation of interim pre-arrest bail.

9. Consequently, this Bail Application is **allowed** and the interim pre-arrest bail earlier granted to applicant Nadir Ali Khoso vide order dated 14.05.2026, is hereby confirmed on the same terms.

10. The observations made hereinabove are tentative in nature and shall not influence the learned trial Court while deciding the case on merits.

JUDGE

AHSAN K. ABRO