

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR.
(1).Crl. Bail Application No.S-780 of 2026.

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE
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Applicants: 1.Mst.Naziran @ Najma W/O Muhkumuddin@ Makoro
2.Sajjad Ali S/O Muhkumuddin @ Makoro both by caste Mallah.
Through Mr.Mahboobali Wasasan, Advocate.

The State: Through Mr. Shafi Muhammad Mahar, D.PG.

(2.) Crl. Bail Application No.S-844 of 2026.

Applicant: Raja S/O Muhkumuddin @ Makoro both by caste Mallah. Through Mr.Mahboob Ali Wassan, Advocate.

The State: Through Mr. Shafi Muhammad Mahar, D.PG.

Date of hearing & order: 07.10.2026.

Suresh Kumar J:- Through this common order I intend to dispose of two separate bail applications filed on behalf of above named applicants/accused arising out of same crime to seek their pre arrest bail in crime No. 38/2026 U/Ss 506/2,504, 148,149 PPC S.2A(I)LA Act,2023 registered at Police Station Sorah District Khairpur.

2. The facts of the prosecution, as depicted in the FIR, are that on 05.03.2026, the complainant Nazeer Ali Aradin lodged the FIR with PS Sorah, stating therein that on 26.02.2026, at 13:30 hours, the applicants/accused Raja Mallah, Mst. Naziran, Sajjad, and Raja Mallah, along with co-accused, in prosecution of their common object, issued threats of murder to the complainant. Upon the arrival of the public, all the accused ran away. Thereafter, the complainant appeared at the aforementioned police station, where he lodged the FIR.

3. The applicants/accused initially approached before the Court of Sessions Judge, Khairpur, for grant of pre-arrest bail which was transfer and later on bail applications of applicants/accused above named were dismissed

vide order dated 25.03.2026, by learned Addl. Sessions Judge-I, Khairpur. Being aggrieved by the said dismissal order, the applicants have approached this Court.

4. I have heard learned counsel for applicants, and learned D.P.G Sindh, who has not supported the order dated 20.5.2026.

5. Having given due consideration to the arguments advanced by the parties' counsel and perused the material available on record, it is revealed from the perusal of the FIR that the applicants/accused Raja Mallah, Mst. Naziran, Sajjad, and Raja Mallah, along with co-accused, in prosecution of their common object, issued threats of murder to the complainant, and upon the arrival of the public, all the accused ran away. The record further reveals that the applicants/accused were granted pre-arrest bail via order dated 25.03.2026 by the learned Additional Sessions Judge-I, Khairpur, but their bail was cancelled by the learned Additional Sessions Judge-I, Khairpur, via order dated 20.05.2026, on the ground that the applicants/accused did not join the investigation. There is apparently an inconsistency between the orders dated 20.05.2026 and 25.03.2026, as the order dated 25.03.2026 reveals that bail was confirmed on the ground that the applicants joined the investigation, while the bail was cancelled on the ground that the applicants did not join the investigation. However, it is not mentioned anywhere in the order that the applicants/accused were again called for further investigation or given any notice for their appearance in this regard. The merits of the case have already been discussed in the order dated 25.03.2026. Even otherwise, the alleged offence does not fall within the ambit of the prohibitory clause of section 497(1) Cr.P.C. The FIR was also registered after a delay of 09 days, which has not been plausibly explained by the complainant; therefore, due deliberation and consultation cannot be ruled out. Moreover, a previous dispute is admitted in the FIR; therefore, mala fide intention on the part of the complainant cannot be ruled out. After the grant of interim pre-arrest bail to

the applicants/accused by this court, they have been appearing before this Court as well as the trial Court, and they have not misused the concession of interim pre-arrest bail.

6. For the foregoing reasons I am of the considered view that the applicants/accused above named have made out a case for the confirmation of interim pre-arrest bail. Therefore, the interim pre-arrest bail granted to the applicants/accused on 19.08.2026 & 03.09.2026 respectively are confirmed on same terms and conditions, with a directions to appear before the trial court till final disposal of the case.

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.

JUDGE

Hizbullah