

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Before:

Mr. Justice Abdul Mobeen Lakho,
Mr. Justice Zulfiqar Ali Sangi,

Crl. Bail Application No. D-254 of 2026

Applicant : Tanveer Ahmed s/o Ali Khan Mughal
Through Mr. Rasool Bux @ R.B. Solangi, Advocate

The State : Mr. Altaf Hussain Khokhar, Deputy Prosecutor General

Dates of hearing : **03.09.2026**

Date of short order : **03.09.2026**

Date of reasons : **07.10.2026**

ORDER

ABDUL MOBEEN LAKHO, J.- Through this Bail Application, applicant Tanveer Ahmed seeks post-arrest bail in Crime No.74/2026 registered at Police Station Hali Road, Hyderabad, for offences under Section 365-A, 342, 384, 120/B, 147, 148, 149 PPC 6/7 ATA. His earlier bail application was dismissed by the learned Anti-Terrorism Court, Hyderabad, vide order dated 11.05.2026.

2. The details and particulars of the cases are already available in the bail applications and the FIRs and may be gathered therefrom; hence, the same need not be reproduced herein.

3. Learned counsel for the applicant contended that the applicant is innocent and has been falsely implicated in this case by the complainant in collusion with the SHO P.S Hali Road with malafide intention and ulterior motives due to personal enmity; that that no specific or direct role has been attributed to the applicant in the commission of alleged offence and allegations are general in nature; that there is a delay of about 05 days in lodging an FIR for which no plausible explanation is given by the complainant; and, that there is no eye witness of the alleged incident and Sections 6 and 7 of ATA are misapplied by the Police; that the investigation has been completed and applicant is confined in the jail and he is no more required for an investigation. Lastly, he prayed for grant of bail to the applicant.

4. Conversely, learned Deputy Prosecutor General, appearing for the State, opposed the application and supported the impugned order. He contended that sufficient material is available on record connecting the applicant with the commission of the alleged offence and that no ground for further inquiry, within the meaning of Section 497(2), Cr.P.C., has been made out.

5. We have heard learned counsel for the parties and have carefully examined the available record. The tentative assessment of the material placed before us reveals that on the night of 10.03.2026, the complainant Nasir Ali, along with his minor children, was returning after offering Taraveeh prayers and visiting his mother when he was allegedly intercepted by armed persons and forcibly abducted at gunpoint. The prosecution case further discloses that the complainant was subjected to physical torture and was kept in illegal confinement, while a ransom of Rs.20,00,000/- was demanded for his release. The record further indicates that the ransom amount was subsequently paid, whereafter the complainant was released. At this tentative stage, the statement and version of the complainant cannot be brushed aside, particularly when he has specifically nominated the present applicant, Tanveer Ahmed, as one of the persons involved in the conspiracy. The contention that the role attributed to the applicant is general in nature is, therefore, not sufficient, at this stage, to discard the prosecution material altogether. The question as to whether the applicant was in fact a participant in the alleged conspiracy, and the extent of his involvement, are matters which may appropriately be determined after recording of evidence at trial. The objection regarding delay in registration of the FIR also does not, in the circumstances of the present case, furnish a ground for grant of bail. The alleged occurrence involves abduction, unlawful confinement, torture and demand and payment of ransom. The effect of such delay, if any, is essentially a matter of appreciation of evidence and cannot, at this stage, be treated as sufficient to demolish the prosecution case when the complainant has furnished a specific account of the occurrence and has attributed involvement to the applicant. The evidentiary value of the complainant's version, corroborative material, and the other circumstances collected during investigation are matters to be examined by the trial Court after the evidence is recorded. At the stage of bail, this Court is not required to conduct a deeper appreciation of evidence or undertake a meticulous examination of the prosecution case as would be permissible at the conclusion of trial. It is also significant that the principal allegation against the accused relates to kidnapping for ransom, punishable under Section 365-A PPC, which carries severe punishment and falls within the prohibitory clause of Section 497 Cr.P.C. The alleged occurrence, involving armed abduction, illegal confinement, physical torture and demand of a substantial ransom, is of a grave and heinous nature and, prima facie, has serious implications for the safety and security of the public. It is a

settled principle that where an accused is charged with an offence falling within the prohibitory clause of Section 497 Cr.P.C., bail is not to be granted as a matter of course. The concession of bail may be extended where the Court, upon tentative assessment of the material, finds that reasonable grounds exist for believing that the accused is not guilty, or where the case calls for further inquiry within the contemplation of Section 497(2), Cr.P.C. In the present case, the material available on record, when tentatively assessed, does not bring the applicant's case within the ambit of further inquiry.

6. In view of above, on tentative assessment of the material available on record, we are of the opinion that the applicant has failed to make out a case for bail. Consequently, the instant bail application was dismissed vide our short order passed today in Court and these are the reasons for the same.

Needless to observe that the observations made hereinabove are tentative in nature and shall not prejudice the case of either party at the trial. The learned trial Court shall decide the cases strictly on the basis of the evidence brought before it, without being influenced by any observation made in this order.

JUDGE

JUDGE