

HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS

Crl. Bail Application No.S-528 of 2026
(Noor Muhammad @ Noor Hassan vs. The State)

Applicant : Noor Muhammad @ Noor Hassan
S/o Mir Muhammad
Through Mr. Zulifquar Ali Laghari, Advocate.

Respondent : The State
Through Mr. Neel Parkash, D.P.G.

Date of hearing : 16.10.2026

Date of Order : 16.10.2026

ORDER

NISAR AHMED BHANBHRO, J. Through the instant bail application, applicant Noor Muhammad @ Noor Hassan son of Mir Muhammad, seeks post arrest bail under Section 497 Cr.P.C in F.I.R bearing Crime No.102 of 2025, registered at Police Station Tando Jan Muhammad for offences punishable under Sections 397, 34 PPC. His earlier application for post arrest bail was dismissed by the learned Additional Sessions Judge-II, Mirpurkhas, vide order dated 29-09-2026 in Criminal Bail Application No.74 of 2026, whereafter he invoked the jurisdiction of this Court.

2. The facts of the case are mentioned in the FIR and needs no repetition in compliance of Hon'ble Apex Court judgment in PLD 2014 SC 458.

3. Learned counsel for the applicant contended that there is delay in recording statement under section 154 Cr.P.C [F.I.R] for three months, which went unexplained. He further contended that co-accused Altaf and Zulifqar have been granted post-arrest bail by trial Court on similar allegation as such the applicant is also entitled for the same relief as a rule of consistency. He further contended that the alleged offence does not fall within the prohibitory clause of section 497(i) Cr.P.C. He, therefore prays for bail to the applicant.

4. Conversely, learned D.P.G concedes the above position for grant bail to the present applicant

5. Heard arguments and perused the material available on record. The case of the prosecution is that on post of Facebook, the complainant party went to purchase a corolla car from the accused persons in their village, wherein accused Noor Muhammad and others robbed an amount of Rs.12,50,000/- from them. The FIR was lodged with delay of three months and no explanation stood furnished by the complainant. Applicability of section 397 PPC is yet to be determined at the time of recording of evidence. Moreover, co-accused Altaf and Zulifquar have been granted post-arrest bail by the learned Additional Sessions Judge-II, Mirpurkhas. Learned D.P.G has conceded the above position. In view of the above, the applicant is also entitled for grant of bail under the rule of consistency.

6. Consequently, the applicant/accused Noor Muhammad @ Noor Hassan son of Mir Muhamad is admitted to post-arrest bail, subject to his furnishing solvent surety in the sum of Rs.1,00,000/- (Rupees One Hundred Thousand only), together with a personal recognizance bond in the like amount, to the satisfaction of the learned trial Court.

7. Needless to observe that the findings and observations recorded herein are purely tentative in nature and confined to the disposal of the instant bail application. The learned trial Court shall decide the case strictly on the basis of the evidence brought before it, independently and without being influenced by any observation contained in this order.

JUDGE

“Chander Kumar”