

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS
Crl. Bail Application No.S-526 of 2026

Applicant: Ali Muhammad s/o Bachal Chandio.
Through Mr. Afzal Karim Virk, Advocate.

Complainant: Present in person.

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

Crl. Bail Application No.S-527 of 2026

Applicant: Noor Muhammad @ Noor Hassan s/o Mir Muhammad.
Through Mr. Zulfiqar 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: By this single order, I intend to dispose of above-mentioned bail applications, whereby the applicants/accused seek post arrest bail in F.I.R No.84 of 2025 for offence punishable under sections 397, 34 P.P.C of PS Tando Jan Muhammad. Their earlier application for post arrest bail was dismissed by the learned Additional Sessions Judge-II, Mirpurkhas vide order dated 29-09-2026 passed in Criminal Bail Application No.73 & 75 of 2026, whereafter they 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 applicants contended that there is delay in recording statement under section 154 Cr.P.C [F.I.R] for four months, which went unexplained. He further contended that co-accused Muhammad Ashraf has 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 applicants.

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. Per FIR, the complainant party went to purchase cultus car from the accused persons in their village wherein accused robbed an amount of Rs.28,00,000/- from them and did not hand over car. Under these circumstances, co-accused Muhammad Ashraf has been granted bail by the trial Court. Applicability of section 397 PPC is yet to be determined at the time of recording of evidence. Learned D.P.G has conceded the above position. In view of the above, the applicants are also entitled for grant of bail under the rule of consistency.

6. Consequently, the applicants/accused Ali Muhammad son of Bachal Chandio and Noor Muhammad @ Noor Hassan son of Mir Muhammad are admitted to post-arrest bail, subject to furnishing solvent surety in the sum of Rs.1,00,000/- (Rupees One Hundred Thousand only) each 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”