IN THE HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS

Crl. Bail Application No.S-165 of 2026

(Azhar Hussain vs. The State)

Applicant	:	Azhar Hussain son of Mazhar Hussain Shah Through Mr. Dilawar Hussain Panhwar advocate
Complainant		Nemo
Respondent	:	The State Through Mr. Ghulam Abbas Dalwani, D.P.G.
Date of hearing	:	26.10.2026
Date of Order	:	26.10.2026

O R D E R

NISAR AHMED BHANBHRO, J: Through the instant bail application, applicant Azhar Hussain son of Mazhar Hussain Shah, seeks pre-arrest bail under Section 498 Cr.P.C in F.I.R bearing Crime No.18 of 2026, registered at Police Station Town for offences punishable under Sections 324, 399, 506(ii), 427, 34 PPC. His similar request was declined by the learned Additional Sessions Judge-I, Mirpurkhas vide order dated 26.03.2026.

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 the applicant is innocent and has been falsely implicated in the instant case with mala fide intention and ulterior motives due to enmity. He further contended that all the offences are bailable, except those under Sections 324 and 506(ii) PPC, which have been misapplied. He further submitted that the co-accused Ali Gohar Shah and Muhammad Rafique have been granted bail by the learned trial Court; therefore, the applicant is also entitled to the same relief on the principle of consistency. He prayed for the grant of bail to the applicant.

4. Learned D.P.G for the State conceded for grant of bail to the applicant on the principle of consistency.

5. Admittedly, co-accused, Muhammad Rafique and Ali Gohar Shah have been granted post-arrest bail by the learned Additional Sessions Judge-I, Mirpurkhas vide order dated 26.02.2026 in Criminal Bail Application No.172 of 2026 and the role assigned to the present applicant is similar in nature. However, the applicant was refused concession of bail on the ground that he had not joined the investigation. When confronted, learned D.P.G conceded for grant of bail to the applicant on the rule of consistency. Accordingly, the interim pre-arrest bail granted to the applicant vide order dated 14.04.2026 is hereby confirmed on the same terms and conditions. The applicant is directed to join the investigation or attend the trial, as the case may be.

6. 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.

7. The instant Criminal Bail Application stands disposed of.

JUDGE

"Chander Kumar"