

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Crl. Bail Application No. S- 606 of 2026

Applicants: 1. Noor Hassan son of Abdul Kareem Lashari,
2. Ali Waris son of Shahid Ali, Malik through Mr. Noor Hassan Malik, Advocate.

Complainant: None present for complainant.

The State Through Mr. Muhammad Raza Katohar, Deputy Prosecutor General, Sindh.

Date of hearing & Order: 28-08-2026.

ORDER.

Suresh Kumar, J ---Applicants named above seek post arrest bail in a case bearing crime No. 29/2026, offence u/s 324, 353, 368, 148, 149 PPC registered at Police Station Khambra District Ghotki.

2. The brief facts of the case, as depicted in the memo of the bail application, are as follows: Complainant HC Mumtaz Ali Bhutto, at P.S. Khambra, along with HC Deedar Ali Boohar, PC Tanveer Ahmed, PC Shoukat Ali, PC Sajid Ali, PC Tanveer Abbas, PC Wazeer Ahmed, PC Abdul Shakoor, and PC Deedar Ali Rina, equipped with ammunition and in uniform, departed in a government vehicle (Ne:32 SPE) driven by PC Nazeer Ahmed, as per Entry 13-1320 dated 13-4-2026. They were conducting a Nakabandi near Guddu Crossband when, at approximately 1430 hours, they observed a black car with registration No. 880-ATS GLI COROLLA approaching at high speed. The complainant signaled for the car to stop; however, it did not comply. Based on suspicion, the complainant and his staff pursued the vehicle, which eventually stopped on the road. Six armed individuals exited the car and fled towards the northern side. The complainant halted the government vehicle and followed them. Upon reaching a dilapidated area, the accused, taking cover behind broken houses, interfered with the lawful duties of the complainant and opened fire, indicating an intention to commit murder. The complainant returned fire in self-defense, and the encounter lasted approximately 10 to 15 minutes. During this exchange, one of the accused was injured by a shot fired by his accomplice, and three suspects were apprehended along with their pistols, while three others managed to escape towards the protective band with their firearms.

After seizing the pistols from the two apprehended individuals, as well as from the injured suspect, the complainant inquired about their names, paternal names, addresses, and the licenses for their firearms. The injured accused identified himself as Abdul Majeed, son of Ameer Bux, of caste Malik, residing in Mustafabad Colony, Daharki. The second accused identified himself as Noor Hassan, son of Abdul Kareem Lashari, residing in Sui, Balochistan, and the third accused identified himself as Ali Waris, son of Shahid Ali Malik, also from Sui, Balochistan. They disclosed that the pistols were unlicensed and named the individuals who had escaped as Sardar Khan Gurgaje, Hyder Ali Chakrani Bugti, and Shahnawaz Chakrani Bugti. They further stated that they had abducted a person on 11-4-2026 near the 18 Number Khoh, close to Khan Muhammad Pull, and had placed him in the trunk of the car, intending to take him to Sui, Balochistan. The complainant secured the car and inspected the trunk, where they found a person whose arms, legs, and eyes were bound with cloth. Upon releasing him, he identified himself as Muhammad Islam, son of Qadir Bux Leghari, residing in Village Gul Muhammad Leghari, Taluka Daharki, aged approximately 23 to 24 years. He stated that the accused had kidnapped him to recover a debt and had kept him hidden in various locations. The complainant then prepared a mashirnama documenting the arrest, body search, unlicensed pistols, and the vehicle used in the offense, with the signatures of the aforementioned mashers. The injured accused, Abdul Majeed, was transported by PC Abdul Shakoor and PC Wazeer Ali to Taluka Hospital Ubauro, while the arrested individuals and the car were brought to the police station. Consequently, the complainant lodged an FIR against the accused for the aforementioned offenses, including a case under Section 35 of the Sindh Arms Act, due to the possession of an unlicensed pistol by the accused Abdul Majeed.

3. The applicant initially sought post-arrest bail from the Court of the learned Additional Sessions Judge/MCTC Ubauro, which was dismissed via order dated 09.06.2026. Aggrieved by this dismissal, the applicant has approached this Court.

4. I have heard the learned counsel appearing on behalf of the applicant/accused and the learned Deputy Prosecutor General for the State, who has opposed the grant of post-arrest bail.

5. Having given due consideration to the arguments advanced by the counsel appearing on behalf of the respective parties and having perused the material available on record, it is revealed from the perusal of the FIR that the applicants/accused were allegedly arrested after an encounter during which one abductee, Muhammad Islam Leghari, was recovered. The record further reveals that P.W. Muhammad Islam, the abductee, stated in his statement recorded under Section 161 Cr.P.C. that he was abducted for ransom and recovered by the police during the encounter. The record also reveals that co-accused Abdul Majeed sustained injuries during the encounter; therefore, there is sufficient material available on record to connect the applicants/accused Noor Hassan and Ali Waris with the commission of the offence. Moreover, the alleged offence falls within the ambit of the prohibitory clause of Section 497(1) Cr.P.C.

6. For the foregoing reasons, I am of the considered view that the applicants/accused have not made out a case for bail; therefore, their bail application is dismissed. However, the applicants/accused are at liberty to file a fresh bail application after the recording of material witnesses, including the alleged abductee, if they so desire.

7. Needless to say, the above observations are tentative in nature and will not prejudice the case of either party.

J U D G E