IN THE HIGH COURT OF SINDH BENCH AT SUKKUR.

Crl. Bail Application No.S-956 of 2026.

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE

Applicant: Sohail S/O Ghulam Shabbir Jodh
Through Mr.Khan Muhammad Shaikh, Advocate.

The State: **Through Mr. Muhammad Raza Katohar D.PG**.

Date of hearing & order: **04.11.2026**.

Suresh Kumar J:- Through instant Crl. Bail Application, the applicant/ accused Sohail Jodh seeks post arrest bail in Crime No.312 /2026, Offence U/S 397 PPC, registered at Police Station, B-Section Khairpur (PP Shah Hussain) District Khairpur.

2. The facts of the prosecution, as depicted in the FIR, are that on 27.08.2026, the complainant, Abdul Khalique Phulpoto, lodged an FIR stating that on 31.07.2026, the applicant/accused, along with other nominated accused and three unknown culprits, duly armed, forcibly robbed a tractor loaded with 72 bags of Shohara and confined the complainant party for two hours in the dates garden. Thereafter, they drove away the robbed tractor towards the National Highway.

3. The applicant/accused initially applied for grant of bail which was dismissed by the learned Additional Sessions Judge-III, Khairpur vide order dated 12.09.2026. Being aggrieved by this dismissal order, the applicant/accused has approached this Court.

4. I have heard learned counsel for applicant/accused, and learned D.P.G Sindh at length, who strongly opposed the grant of bail to the applicant/accused, while notice issued to the complainant but he chose to remain absent.

5. Having given due consideration to the arguments advanced by the learned counsel for the applicant/accused and the learned DPG, and having

perused the relevant material available on record, it is revealed from the perusal of the FIR that the alleged incident of robbery of the tractor, along with 72 bags, was committed by the applicant/accused and co-accused on 31.07.2026, while the FIR was lodged on 27.08.2026. Such a significant delay of 27 days has not been plausibly explained by the complainant. Therefore, due deliberation and consideration cannot be ruled out. The unexplained delay in lodging the FIR, coupled with non-recovery of robbed article from the possession of applicant/accused, necessitates further inquiry into the case of the applicant/accused, as embedded in Section 497(2) Cr.P.C. The final report has been submitted and applicant/accused is in judicial custody, hence he is no more required for further investigation.

6. For the foregoing reasons, I am of the considered view that the applicant/accused has made out a case for the grant of post arrest bail. Therefore, the applicant/accused is admitted to bail subject to furnishing solvent surety in the sum of Rs.50,000/-(Fifty thousands) and PR bond in the like to the satisfaction of learned trial Court.

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

J U D G E

Hizbullah