IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Bail Application No.S-944 of 2025
Criminal Bail Application No.S-945 of 2025
Criminal Bail Application No.S-1115 of 2025

Applicants:	Liaquat Ali s/o Lakhi @ Meer (in custody) through M/s Pir Bux Bhurgri and Saeed Ahmed, advocates in Cr. Bail No.S-944/2025 and 945/2025 Suleman S/O Wahid Bux Lakho (in custody) through Mr. Muhammad Qasim Samoon, advocate in Cr. Bail No.S-1115/2026)
Complainant	Ramesh Kumar through Mr. Azhar Hussain Solangi
Respondent:	The State through Mr. Khalid Hussain Lakho, Deputy Prosecutor General Sindh, along with IO/ASI Besham Khan PS Tando Ghulam Hyder.
Date of hearing:	**24.11.2025**
Date of Order:	**24.11.2025**
Date of Reasons	**21.10.2026**

O R D E R

JAWAD AKBAR SARWANA, J:- Through the listed three (3) criminal bail applications, the applicants/accused above-named, Liaquat and Suleman, in Cr. Bail Appln. Nos. 944 and 1115 of 2025, respectively, seek post-arrest bail in Crime No.86 of 2025, registered at P.S. Tando Ghulam Hyder, District TM Khan, under Section 397 PPC and in Cr. Bail Appln. No. 945 of 2025, Liaquat seeks post-arrest bail under Section 24 of the Sindh Arms Act, 2013, in Crime No. 90/2025 registered in the same above-mentioned P.S. The learned Additional Sessions Judge-II, Tando Mohammad Khan, dismissed Liaquat's earlier applications for post-arrest bail in the aforesaid two Crime Nos. 86 and 90 of 2025 vide orders dated 06.08.2025 and 04.08.2025, respectively, in Cr. Bail Appln. nos. 544 and 551 of 2025, whereas the same Court dismissed Suleman's post-arrest bail in Crime No.86 of 2025 vide order dated 06.08.2025 in Cr. Bail Appln. No.545 of 2025.

2. I have heard the learned Counsel for the applicant/accused and the Complainant, as well as the Deputy Prosecutor General, Sindh and have perused the record, and my observations are as under:-

3. The background of the matter as set out in the two (2) aforementioned FIRs, and the said facts for the sake of brevity, are not reproduced herein and may be read in with this paragraph ad seriatim.

4. I have heard the learned counsel for the parties, reviewed the record, and examined the legal framework applicable to the case.

5. Perusal of the record reveals that the alleged incident took place on 08.07.2025 @ 9:30pm, and the complainant lodged the present FIR on 16.07.2025 @ 1:00pm after an inordinate delay of eight (8) days, without any plausible explanation. Given this delay, and that the incident took place in the dead of night, yet the FIR gives a complete description of the accused, including their father's name and case, yet the complainant still took eight (8) days to report the alleged crime, notwithstanding that the complainant has also stated that the two castes have enmity. The incident is alleged to have taken place in a public place but there are no witnesses. No independent witness corroborates the occurrence of the crime. Further, as per the police papers, no roznamcha entry was/is available on the date of occurrence of the crime, too. The aforesaid observations suggest deliberations and consultations on the part of the complainant and give rise to further inquiry. Moreover, the two co-accused, Majnoo and Rasheed, who were carrying sticks, were granted bail vide order dated 05.08.2025 in Cr. Bail Appln. No.529/2025 in crime no.86/2025. By comparison, Suleman was carrying a hatchet, and Liaquat was carrying a weapon, yet neither the complainant nor the persons who claimed that their property was allegedly stolen were injured by any of the accused. In the circumstances, a case of further inquiry is made out. As per the FIR, neither the complainant nor anyone else apparently sustained any injuries. Thus, the trial Court would have to determine the aforesaid facts after recording of evidence from the prosecution's witnesses. Finally, the Challan has been submitted, and the trial is underway. Thus, given the matrix of issues described above, the case of the applicant/accused does not appear to fall within the ambit of the

prohibitory clause of Section 497 Cr.P.C., and a case for post-arrest bail is made out.

6. Finally, turning to the issue of previous FIRs. It appears that, apart from the FIRs involved in the offences, the applicant/accused is not involved in any other crime.

7. The FIR No.90/2025 is an off-shoot of the main FIR No.86/2025, and as mentioned herein above, a case is made out for grant of post-arrest bail, as discussed above. When the applicant/accused has made out a good case for further inquiry within the meaning of Section 497(2) Cr.PC, the applicant/accused also deserves to be admitted to bail in this case also.

8. Resultantly, the instant two bail applications were **allowed** vide my short order dated 24.11.2025. Consequently, applicants/accused were admitted to post-arrest bail in Crime Nos.86 and 90 of 2025 subject to furnishing solvent surety in the sum of Rupees One Lac (Rs.100,000/-) each and PR bond in the like amount to the satisfaction of learned trial Court. These are the reasons in support thereof.

9. Needless to mention, the observations recorded herein are strictly tentative and shall not prejudice or influence the mind of the learned trial Court during the adjudication of the main case on its merits.

JUDGE

Irfan