THE HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD.

Criminal Bail Application No.S-674 of 2025

Applicants	:	Ali Ahmed s/o Bachoo Jat (in custody) through Mian Taj Muhammad Keerio, Advocate.
Complainant	:	Allah Dito s/o Khan Shahnawaz Brohi, Advocate
State	:	Through Khalid Hussain Lakho, D.P.G. for State
Dated of hearing	:	21.10.2025.
Date of Order	:	21.10.2025.
Date of Reasons	:	21.10.2026

O R D E R

JAWAD AKBAR SARWANA, J:- Applicant/accused Ali Ahmed s/o Bachoo Jat, seeks post-arrest bail in Crime No.56 of 2025, registered under Sections 395, 341, 506(2) and 35 PPC at PS Talhar, after their post-arrest bail was denied vide order dated 10.06.2025 passed by the IInd Additional Sessions Judge Badin in Criminal Bail Application No.837 of 2025.

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

3. The facts and background of the matter are set out in the FIR and, for the sake of brevity, are not reproduced herein and are reiterated herein ad seriatim.

4. Perusal of the record reveals that the alleged incident took place on 19.04.2025 @ 9:30 am, and the complainant lodged the present FIR on 30.04.2025 @ 8:00 pm after an inordinate delay of almost 11 days, without any plausible explanation. Given this delay, the fact that the incident took place in the dead of night, and occurred in a populated area, yet no private person was associated as a witness to the arrest and recovery proceedings.

Therefore, the series of events described in the FIR regarding the alleged crime is doubtful.

5. Ali Ahmed Bachoo Jat was/is a business competitor of the complainant, too, admittedly. The FIR gives no description of the accused, except that they were nominated expressly 23 days after the occurrence. Further, the record shows that in the 12 months prior to filing of the complaint, the complainant had filed two Cr. Misc. Appln. against the Jats, including the present accused/applicant, namely Cr. Misc. Appln. No.330/2025 and Cr. Misc. Appln No.660/2025. The aforesaid observations suggest deliberations and consultations by the complainant and give rise to further inquiry.

6. As per the police papers, no roznamcha entry was/is available on the date of occurrence of the crime, and several of the co-accused named in the FIR had been granted bail, as well. Finally, the complainant and his party were no less in number than the alleged accused, and none appeared to suffer any injuries. Thus, the defence theory raises the need for further inquiry.

7. Given the above, from the tentative assessment of the record, the applicant/accused has made out a case for further inquiry as envisaged under Section 497(2) CrPC.

8. In view of the above, the instant bail application was allowed on 21.10.2025 to both the applicants/accused subject to furnishing a solvent surety in the sum of Rs.200,000/- (Rupees Two Lacs) each and P.R. bond in the like amount to the satisfaction of the Court. The above are the reasons for the short order.

9. The observations made hereinabove are tentative in nature and shall not influence the trial court while deciding the case on merits.

JUDGE

Tufail