IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

Cr. Bail Application No.S-1248 of 2026
(Irshad Malak versus The State)

Criminal Bail Application No.S-1256 of 2026
(Arshad Ali versus The State)

Date of hearing: 02.11.2026

Date of order: 02.11.2026

Mr. Meer Buriro, Advocate for applicants along with applicant Irshad Malak on interim pre-arrest bail in Criminal Bail Application No.S-1248 of 2026

Mr. Hadi Bux Khaskheli, Advocate for complainant

Mr. Altaf Hussain Khokhar, DPG along with Inspector Javed PS Balu Ja Quba

O R D E R

OMAR SIAL, J:- Through captioned bail applications, the applicant Irshad Malak seeks pre-arrest bail whereas applicant Arshad Ali seeks post arrest bail (both brothers) in Crime No. 29 of 2026, registered under Sections 365-B, 452 PPC at the Balu Ja Quba police station.

2. As per the prosecution story, accused Arshad Ali and Irshad, along with co-accused Nizamuddin, allegedly armed with pistols, forcibly entered the complainant's house after pushing him aside. They facilitated the abduction of Sher Bano, aged about 15 years, by accompanying co-accused Nizamuddin, who allegedly forcibly dragged her outside and put her into a car. All three accused thereafter fled from the place of occurrence with the abductee.

3. I have heard the applicants' counsel and the learned Assistant Prosecutor General assisted by the learned counsel for the complainant. My findings and observations are as follows.

4. The applicants are the brother of Nizamuddin who has allegedly eloped with the daughter of the complainant namely Sher Bano. There is no evidence against the

applicants that they had conspired with their brother to kidnap the girl on the contrary there appears to be some unsubstantial and unverified evidence to reflect that the girl may have married Nizamuddin. Be that as it may, the brothers without any evidence cannot be held liable for the acts and conduct of their brother.

4. Accordingly, since the case of the applicants requires further enquiry, both the applications are allowed. The applicant Arshad Ali is admitted to post arrest bail against the surety of Rs.50,000/- and P.R. Bond in the like amount to the satisfaction of learned Trial Court. Whereas, the interim pre-arrest bail earlier granted to the applicant Irshad Malak is hereby confirmed on the same terms and conditions.

JUDGE

Ali Haider