

HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

Cr. Bail. Application No.S-625 of 2026
[Ali vs. The State]

Applicant by: Mr. Gul Hassan Panhwar advocate
Complainant by: Nemo
State by: Mr. Irfan Ali Talpur D.P.G
Date of hearing 24.06.2026
Date of Order 24.06.2026

ORDER

TASNEEM SULTANA, J: Through this Bail Application, the applicant Ali seeks pre-arrest bail in Crime No.108 of 2026 registered at Police Station Bhattae Nagar Hyderabad under Sections 380, 454 and 511 PPC. His earlier bail application for the same relief being Crl. Bail Application No.1020 of 2026 has been declined by the learned Additional Sessions Judge-II Hyderabad vide Order dated 27.04.2026.

2. The facts of the FIR find sufficient mention in memo of bail application, therefore, in view of the case law reported in PLD 2014 SC 458, there is no need to reproduce the same for the sake of brevity and in order to avoid repetition. However, the allegation against the present applicant is that he alongwith co-accused persons attempted to commit theft. Consequently, the present FIR came to be registered.

3. Learned counsel for the applicants contends that the applicant besides being minor is innocent and has been falsely implicated in present crime with malafide intentions and ulterior motives; that there is general allegation against the present applicant and his name was even mentioned in FIR on the alleged confession of co-accused; that co-accused has been granted bail by the trial Court vide Order dated 16.04.2026; that applicant's case is even on better footings as that of co-accused, therefore, he is entitled for concession of bail.

4. Despite service no one effected appearance on behalf of the complainant; whereas learned Deputy Prosecutor General halfheartedly opposed the bail application while conceding that name of the present applicant was mentioned in FIR on the disclosure of co-accused.

5. As per FIR five persons were allegedly seen by the complainant at

the spot, who attempted to commit theft of iron rods out of which two persons were allegedly arrested at the spot who disclosed their names as Abdullah and Hasnain. Per record the arrested persons allegedly also disclosed the names of absconding accused as Babar, Ali and Noor Muhamad @ Nooral. Record further reflects that co-accused Abdullah, who was allegedly arrested at the crime scene, has already been granted bail by the trial Court vide Order dated 16.04.2026. It also appears that present applicant was not identified by the complainant rather his name was mentioned in FIR on the alleged disclosure of co-accused.

6. In light of the principles enunciated by the Hon'ble Supreme Court in *Sheikh Abdul Raheem v. The State* (2021 SCMR 822) and *Riaz Jafar Natiq v. Muhammad Nadeem Dar and others* (2011 SCMR 1708), no exceptional or extraordinary circumstances have been pointed out which would warrant denial of bail. Accordingly, the present application is allowed and the interim pre-arrest bail already granted to the applicant vide order dated 20.05.2026 is hereby confirmed on the same terms and conditions.

7. It is, however, clarified that the observations made herein are tentative in nature and shall not prejudice the trial Court in deciding the case on merits.

JUDGE