

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT
LARKANA**

Cr. Bail Appln. No. S-416 of 2026
(Saeed Soomro versus The State)

Cr. Bail Appln. No. S-418 of 2025
(Shakeel Mangi versus The State)

Cr. Bail Appln. No. S-424 of 2026
(Muhammad Mithal Shaikh versus The State)

Before:
Mr. Justice Ali Haider ‘Ada’.

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Mr. Shakeel Ahmed Soomro, Advocate for the applicant
in Cr. Bail Appln. No. S-416 of 2026

Mr. Muntazir Hussain Mangi, Advocate for the applicant
in Cr. Bail Appln. No. S-418/2026

Mr. Atta Hussain Qadri, Advocate for the applicant in
Cr. Bail Appln. No. S-424 of 2026

Mr. Nazeer Ahmed Bangwar, Deputy Prosecutor General

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Date of hearing: 05-10-2026
Date of Order: 05-10-2026

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Ali Haider ‘Ada’, J:- By this single order, I intend to dispose of the above-said bail applications, as they arise out of the same FIR bearing No.48/2026, registered at Police Station Madeji. The applicants were nominated in the said crime for offences punishable under Sections 365, 302, 201, 148 and 149 PPC. However, their bail applications were dismissed by the learned Additional Sessions Judge-III, Shikarpur, vide order dated 17.08.2026.

2. The crux of the prosecution case is that on 02.04.2026, the present applicants, along with co-accused Muhammad Hanif, Mst. Najma, Mst. Rizwana and two unidentified persons, forcibly kidnapped an unsound-minded lady, namely Khalida Khatoon, who was the sister of the complainant. Subsequently, it came to the knowledge of the complainant that she had been murdered. Accordingly, the incident was reported on 12.07.2026.

3. Learned counsel for the applicants submitted that co-accused persons, namely Hanif, Mst. Rizwana and Mst. Najma, have already been granted bail by the learned trial Court. Therefore, the present applicants are also entitled to the concession of bail, as a similar role has been attributed to them. He further contends that there is a delay of about three months in the registration of the FIR and that no one was an eye-witness to the alleged murder. Learned counsel have relied upon the cases reported as 2026 SCMR 1076, 2021 SCMR 1236 and 2026 YLR 1894.

4. On the last date of hearing, the complainant had engaged his counsel; however, today, both the complainant and his counsel are called absent without any intimation. On the other hand, learned Deputy Prosecutor General opposed the bail applications on the ground that the offences fall within the prohibitory clause of Section 497 Cr.P.C. and that the present applicants are not entitled to the concession of bail.

5. Heard and considered.

6. From a tentative assessment of the material available on record, it appears that the present applicants have been nominated with a similar role to that attributed to the co-

accused who have already been granted bail by the learned trial Court. Therefore, the rule of consistency is attracted in the present case. On the same principle, the benefit of doubt extended to the co-accused cannot be withheld from the present applicants, who have been nominated for the same alleged offences. Reliance in this regard is placed upon **Naeem Sajid v. The State, 2025 SCMR 129.**

7. Secondly, the present applicants do not appear to be directly connected with the commission of the murder. The incident allegedly occurred on 02.04.2026, whereas the FIR was lodged on 12.07.2026, after an unexplained delay of almost three months. Such delay, particularly when the complainant is the brother of the deceased, who would ordinarily be expected to promptly pursue the matter, creates a circumstance requiring further consideration as to deliberation and consultation preceding the lodging of the FIR. Such aspect, at least tentatively, also extends the benefit of doubt to the present applicants. Reliance in this regard is placed upon **Mazhar Ali v. The State, 2025 SCMR 318.**

8. In view of the above tentative assessment, the applicants have made out a case for the grant of post-arrest bail. They are also not shown to be required for any further investigation. Accordingly, the concession of bail is extended to them.

9. For the foregoing reasons, the applicants in all three bail applications are admitted to post-arrest bail, subject to furnishing solvent surety in the sum of Rs.50,000/- each with P.R. bond in the like amount to the satisfaction of the learned trial Court. Needless to say, the above observations are tentative in nature and shall not prejudice the case of the prosecution, nor shall the learned trial Court be influenced by

the same. The trial shall be concluded and decided strictly on the basis of the evidence brought on record.

JUDGE