

ORDER SHEET  
**IN THE HIGH COURT OF SINDH CIRCUIT COURT  
MIRPURKHAS**

Criminal Bail Applications No.S-422 of 2026

|                  |                                                                               |
|------------------|-------------------------------------------------------------------------------|
| Applicant:       | Mangal S/o Photo through Mr. Wishan Das, Advocate.                            |
| Respondent:      | The State through Mr. Ghulam Abbas Dalwani, Deputy Prosecutor General, Sindh. |
| Complainant:     | Ranjho S/o Mangal through Ms. Munhazah Siddiqui, Advocate.                    |
| Date of hearing: | 28.09.2026.                                                                   |
| Date of order:   | 28.09.2026.                                                                   |

**ORDER**

**RIAZAT ALI SAHAR, J:-** Through the instant bail application, applicant Mangal son of Photo seeks post-arrest bail in Crime No.35 of 2025, registered at Police Station Dano Dhandhal, District Tharparkar, for offences punishable under Sections 302 and 311, PPC. His earlier application for post-arrest bail was dismissed by the learned Additional Sessions Judge-I/Judge, MCTC, Tharparkar at Mithi, vide order dated 02.07.2026.

**2.** The facts and particulars of the prosecution case are already set out in the FIR, a copy whereof is annexed with the bail application; therefore, unnecessary reproduction thereof is avoided in view of the principle laid down in PLD 2014 SC 458.

**3.** Without undertaking a deeper appreciation of the evidence, which may prejudice either side at the trial, the material presently available on record has been examined only tentatively and for the limited purpose of granting or declining the instant bail application. It appears that the FIR was lodged with a delay of about two days. The applicant has remained behind bars since 11.12.2025 and has thus undergone considerable pre-trial incarceration. Prima facie, no eyewitness of the occurrence has been cited in the FIR, while the prosecution case, insofar as the applicant is concerned, appears to rest substantially upon evidence subsequently collected during the course of investigation.

**4.** It further appears that the statement attributed to the applicant under Section 161, Cr.P.C., recorded on 11.12.2025, and his

subsequent statement/confession recorded under Section 164, Cr.P.C. on 12.12.2025, are not entirely consistent with each other. The evidentiary worth, voluntariness and legal effect of such material are matters to be determined by the learned trial Court after recording and evaluating the evidence and cannot appropriately be conclusively assessed at the bail stage.

**5.** Moreover, the investigation has already been completed and challan has been submitted before the competent Court; therefore, the applicant is no longer required for the purpose of further investigation. The cumulative effect of the above circumstances, when tentatively assessed, brings the case of the applicant within the ambit of further inquiry within the meaning of Section 497(2), Cr.P.C. Needless to observe that deeper appreciation of evidence at the bail stage is neither permissible nor desirable.

**6.** Consequently, the applicant is admitted to post-arrest bail, subject to furnishing solvent surety in the sum of Rs.200,000/- (Rupees Two Hundred Thousand only) and P.R. bond in the like amount to the satisfaction of the learned trial Court.

**7.** The observations made hereinabove are purely tentative in nature and confined to the disposal of the instant bail application. The learned trial Court shall decide the case strictly on its own merits and on the basis of evidence brought before it, without being influenced by any observation contained in this order.

JUDGE