

IN THE HIGH COURT OF SINDH CIRCUIT COURT LARKANA

***Criminal Bail Application No. S-96 of 2026
(Masoori Khan vs. The State)***

***Criminal Bail Application No. S-100 of 2026
(Liaqat Ali Umrani vs. The State)***

***Criminal Bail Application No. S-101 of 2026
(Sajjad Hussain Dahani vs. The State)***

***Criminal Bail Application No. S-102 of 2026
(Moral Buledi vs. The State)***

***Criminal Bail Application No. S-103 of 2026
(Abdul Sattar Katohar vs. The State)***

***Criminal Bail Application No. S-104 of 2026
(Mohammad Ishaque Katohar vs. The State)***

***Criminal Bail Application No. S-67 of 2026
(Ghulam Sarwar Bathiani Buledi vs. The State)***

***Criminal Bail Application No. S-68 of 2026
(Mir Hassan Bathiani Buledi vs. The State)***

***Criminal Bail Application No. S-69 of 2026
(Ghulam Muhammad Dahani vs. The State)***

***Criminal Bail Application No. S-94 of 2026
(Nooruddin Katohar vs. The State)***

***Criminal Bail Application No. S-95 of 2026
(Shahnawaz Dahani vs. The State)***

***Criminal Bail Application No. S-97 of 2026
(Ahsan Ali Katohar vs. The State)***

***Criminal Bail Application No. S-98 of 2026
(Liaqat Ali Luhur vs. The State)***

***Criminal Bail Application No. S-99 of 2026
(Mohammad Suleman Luhur vs. The State)***

M/s. Nooruddin Mahessar, Atta Hussain Qadri, Abid Hussain Qadri, Zafar Khalil Ahmed Jakhrani, Advocates for applicants.

Mr. Nazir Ahmed Bangwar, Deputy Prosecutor General Sindh, for State.

Date of Hearing : 05.10.2026
Date of Order : 05.10.2026.

ORDER

Ali Haider 'Ada' J.- Through this common order, I intend to dispose of the above bail applications, as the same arise out of one series of incidents, pursuant to which the police subsequently registered separate FIRs. Prior thereto, the bail applications of the applicants had been declined by the learned trial Court.

2. The crux of the prosecution case is that, upon receipt of information, the police registered FIRs under different crime numbers. The main Crime Nos. were 288/2025 or, if 289/2025, in which hand grenades were allegedly recovered and the present applicants, along with other persons, were nominated as accused. However, their names were not included by the Investigating Officer in the challan submitted in the said cases. Subsequently, separate FIRs were registered against the applicants wherein recoveries of K.Ks., pistols of 9 mm, rifles and a T.T. pistol were allegedly effected.

3. Learned counsel for the applicants mainly contended that there was delay in registration of the FIRs and that the mandatory provisions of Section 103, Cr.P.C. were not complied with. It is further argued that the police have failed

to disclose under which provision of law the alleged recoveries attract the provisions of either Section 23 or Section 24 of the Sindh Arms Act. Learned counsel have relied upon the unreported order dated 05.05.2025 passed by this Court, Sukkur Bench, in Criminal Bail Application No.S-330/2025, Re: Abdul Waheed Shar v. The State, as well as the order dated 11.12.2023 passed by this Court at the Principal Seat, Karachi, in Criminal Bail Application No.2689/2023.

4. On the other hand, learned Deputy Prosecutor General, Sindh, vehemently opposed the bail applications. He submits that a huge quantity of ammunition, along with automatic weapons, was recovered from the applicants and that, considering the nature and value of such weapons, there was no apparent reason for the police to falsely foist such recoveries upon the accused. He further submits that, in view of the prevailing law and order situation and the increasing incidents of crime involving the unlawful possession and movement of weapons, such practices need to be dealt with strictly. At the same time, he submits that the Investigating Officer appears to have misdirected the investigation, particularly as the names of the present applicants, who were nominated in the main Crime Nos.288/2025 or 289/2025, were subsequently omitted from the challan.

5. Mr. Irfan Ali Mahar, learned Advocate for the applicants in Criminal Bail Applications No.S-68 and 69 of 2026, called absent without intimation. However, the said bail applications are on the same footing and are being perused accordingly.

6. Heard and perused.

7. After perusal of the entire record, it appears that FIR No.288/2025 was initially lodged, whereafter challan was

submitted and Sections 6 and 7 of the Anti-Terrorism Act, 1997, read with Sections 3 and 4 of the Explosives Act, were incorporated. The record further reflects that the present applicants were duly nominated in the said FIR; however, their names were subsequently omitted from the challan. Such conduct on the part of the Investigating Officer prima facie requires explanation and indicates that the investigation was not conducted in a fair and proper manner. Furthermore, FIR No.289/2025 was also registered. Thus, keeping in view the aforesaid facts and circumstances, the case cannot be treated as a simple case of recovery, particularly when the applicants were also nominated in main FIR/s.

8. It has also been tentatively assessed that the recoveries allegedly effected from the applicants do not comprise ordinary weapons. Rather, automatic weapons and a substantial quantity of ammunition, including weapons of considerable value, were allegedly recovered. At this stage, in the absence of any material establishing that such recoveries were planted, the plea that the weapons were foisted upon the applicants cannot be accepted merely on the basis of an assertion. Consequently, at this stage, it cannot safely be concluded that there are reasonable grounds to believe that the applicants are not connected with the alleged offences.

9. So far as the nature of the offences is concerned, the same fall within the prohibitory clause of Section 497(1), Cr.P.C. In cases falling within the prohibitory clause, the grant of post-arrest bail is not a matter of course and the accused must bring his case within the recognized exceptions or demonstrate that the case requires further inquiry within the meaning of Section 497(2), Cr.P.C. It is now well-settled that such relief may ordinarily be extended where the accused is a

minor, a woman, sick or infirm, where there is unexplained delay in conclusion of the trial not attributable to the accused, or where the case otherwise calls for further inquiry. At this stage, none of the said exceptions is attracted in favour of the applicants. Reliance is placed upon **Muhammad Atif v. The State (2024 SCMR 1071)**.

10. In view of the foregoing facts and circumstances, the above-mentioned bail applications are hereby dismissed.

11. Nevertheless, considering the manner in which the investigation appears to have been conducted, particularly the omission of the names of the present applicants from the challan despite their nomination in FIR Nos.288/2025 or 289/2025, the SSP, Jacobabad, is directed to examine the conduct of the Investigating Officer and take appropriate action in accordance with law. If, upon such examination, it is found that the Investigating Officer deliberately or negligently omitted the names of the accused from the challan to extend any undue benefit to them, appropriate disciplinary /departmental proceedings shall be initiated against him in accordance with law. Let a copy of this order be forwarded to the SSP Jacobabad and DIGP, Larkana, for information and necessary compliance.

J U D G E