

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT
LARKANA

Criminal Bail Application No. S-230 of 2026
(Muhammad Umar Sundrani vs The State)

Date	Order with signature of Judge
	1. For orders on office objection-A. 2. For hearing of bail application.

21.09.2026.

M/s. Asif Ali Abdul Razak Soomro and Safdar Ali Ghouri,
Advocates for the Applicant.

Mr. Nazeer Ahmed Bhangwar, Deputy Prosecutor General.

ORDER

Ali Haider 'Ada', J:-, The present applicant seeks post-arrest bail in Crime No.08 of 2025, registered for offences punishable under Sections 395, 396 and 398, PPC. Subsequently, during submission of the challan, Sections 302, 148 and 149, PPC were also added. Prior thereto, the applicant approached the learned Additional Sessions Judge-II, Kandhkot, who, vide order dated 09.04.2026, dismissed his bail application.

2. Very briefly, the prosecution case, as set out in the FIR, is that the present applicant, along with other accused persons, made straight firing upon deceased Zubair Ahmed. The fire attributed to the present applicant hit the deceased on the ear and temple, i.e., the flat area of the side of the head. The incident allegedly took place on 28.03.2025, whereas the FIR was registered on 31.03.2025.

3. Learned counsel for the applicant mainly contended that the applicant has been nominated with a general allegation and that there is delay in registration of the FIR. It was further submitted that, at the first instance, a diary entry was made before the police wherein the name of the present applicant did not transpire. Learned counsel, therefore, sought the concession of bail and placed reliance upon 2022 SCMR 663 and 2005 MLD 1267.

4. Notices were repeatedly issued to the complainant; however, despite such notices, the complainant did not appear before the Court.

5. Learned Deputy Prosecutor General, on the other hand, submitted that the present applicant has been nominated with a specific role of making firearm injury upon the deceased, which proved fatal. As regards Entry No.28, relied upon by learned counsel for the defence, it is submitted that the said entry merely reflects the occurrence of the incident, whereas the question of omission of the applicant's name therefrom requires deeper appreciation of the evidence. It is further contended that the medical evidence is in accord with the ocular account.

6. Heard and perused.

7. As per the contents of the FIR and the medical evidence available on record, prima facie, the present applicant has been attributed a specific role of causing firearm injury to the deceased, which proved fatal. Thus, prima facie, the applicant is connected with the commission of the murder of deceased Zubair Ahmed. In this regard, reliance may be placed upon **Bakhti Rehman v. The State, 2023 SCMR 1068**.

8. The offence attributed to the applicant falls within the prohibitory clause of Section 497(1), Cr.P.C. Ordinarily, in such circumstances, post-arrest bail may be granted where an exceptional circumstance is made out; however, no such exceptional circumstance has been brought on record in the present case. The Honourable Supreme Court, in **Muhammad Atif v. The State, 2024 SCMR 1071**, has also declined the concession of bail in circumstances where no exceptional ground was established.

9. The involvement of the present applicant, coupled with the incriminating material available on record, prima facie connects him with the commission of the alleged offence. As regards the contention requiring deeper appreciation of the material, it is settled that at the stage of bail only a tentative assessment of the available

material is to be made and deeper appreciation of evidence is not permissible. At this tentative stage, there exist reasonable grounds to believe that the applicant is connected with the commission of the alleged offence. Reliance in this regard may be placed upon **Ghazi Arab v. The State, 2025 SCMR 1967**.

10. In view of the foregoing facts and circumstances, the present applicant is not entitled to the concession of post-arrest bail. Accordingly, his bail application is hereby dismissed.

JUDGE