

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Cr. Bail Appln. No. S – 150 of 2026

Applicant : Shoukat S/o Muhammad Iqbal, Rajper
Through Mr. Illahi Bux Jamali, Advocate

The State : Through Mr. Mansoor Ahmed Shaikh, DPG

Date of hearing : 12.03.2026
Date of order : 12.03.2026

ORDER

KHALID HUSSAIN SHAHANI, J.— Through this application, the applicant Shoukat Ali, seeks post-arrest bail in Crime No.134 of 2025, Police Station Bhiria City, District Naushehro Feroze, for offence under Section 24 of the Sindh Arms Act, 2013. His prior bail application was declined by the learned 1st Additional Sessions Judge (MCTC), Naushehro Feroze, vide order dated 31.01.2026.

2. As per FIR dated 08.09.2025, lodged by SIP Sikandar Ali Hajano of PS Bhiria City, the applicant along with co-accused allegedly pointed out unlicensed firearms concealed in a banana garden of Ashraf Rajput. Pistols, magazines, and live bullets were recovered, checked, sealed, and documented in the mashirnama of arrest and recovery in the presence of police officials.

3. Learned counsel for the applicant contended that the applicant is innocent and has been falsely implicated due to police malafide. He argued that the recovery was conducted solely in the presence of police officials from the same station, without any independent witnesses, thereby vitiating its credibility. An unexplained delay in reaching the recovery site was also highlighted. It was further submitted that the investigation is complete, the applicant is in judicial custody, and he is ready to furnish solvent surety.

4. Conversely, the learned DPG opposed bail on the ground that the offence involves unlicensed firearms, falls within the prohibitory clause of Section 497(1) Cr.P.C, and poses a risk to public safety.

5. Arguments of learned counsel for both sides have been heard and the available record examined.
6. Tentative assessment of the record reveals substantial factual controversies, namely, the circumstances of recovery, absence of independent witnesses, and unexplained delay in reaching the recovery site, all of which can only be resolved upon recording of evidence at trial. The investigation stands complete, and further detention of the applicant serves no useful purpose.
7. Significantly, the applicant has already been granted bail in the main case, Crime No.125 of 2025, vide order dated 12.03.2026 passed in Cr. Bail Appln. No.S-149 of 2026. The instant case being derivative thereof, the principle laid down in *Sajjad Ali Maitlo v. The State* (2022 PCrLJ Note 74) is squarely applicable; that where bail is granted in the principal offence, bail in the connected recovery case equally becomes a matter of further inquiry.
8. The applicant bears no previous conviction and no material exists suggesting likelihood of tampering with prosecution evidence or absconding. The case thus falls within the ambit of further inquiry under Section 497(2) Cr.P.C., entitling the applicant to post-arrest bail.
9. In view of the foregoing, Cr. Bail Appln. No.S-150 of 2026 is allowed. The applicant, Shoukat Ali s/o Muhammad Iqbal Rajper, is admitted to post-arrest bail upon furnishing solvent surety of Rs.100,000/- (Rupees One Hundred Thousand) and a P.R bond in the like amount, to the satisfaction of the learned trial Court.
10. Observations recorded herein are tentative in nature and shall not prejudice either party at trial. Application stands disposed of accordingly.

J U D G E