

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Cr. Bail Appln. No. S – 151 of 2026

Applicant : Deedar Ali 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.— The applicant seeks post-arrest bail in Crime No.135/2025, for offence under Section 24 of the Sindh Arms Act, 2013, registered at P.S. Bhiria City, District Naushehro Feroze. His earlier bail plea was declined by the learned 1st Additional Sessions Judge (MCTC), Naushehro Feroze, vide order dated 31.01.2026.

2. As per the FIR dated 08.09.2025 lodged by SIP Sikandar Ali Hajano, the applicant was allegedly found in possession of an unlicensed 30-bore pistol with a magazine containing two live rounds, purportedly linked to Crime Nos.125 & 55/2025 (U/S 395, 342 PPC). Recovery was effected from a banana garden of Ashraf Rajput and documented through mashirnama in presence of police officials.

3. Learned counsel for the applicant contended that: (i) the applicant is innocent and falsely implicated due to police mala fides; (ii) all mashirs were police officials from the same station, with no independent witnesses; and (iii) there was an unexplained delay of one hour despite the police station's proximity to the recovery site. He further submitted that the applicant is in judicial custody, is no longer required for investigation, and is willing to furnish solvent surety.

4. Learned State counsel opposed the application on the ground that the offence involves unlicensed firearms falling within the prohibitory clause of Section 497(1) Cr.P.C, posing a risk to public safety.

5. Arguments heard. Record examined.

6. On tentative assessment, the applicant has raised substantial controversies regarding the credibility and circumstances of recovery, absence of independent witnesses, and unexplained delay, matters triable only upon recording of evidence. Investigation stands complete; further detention serves no purpose.

7. Significantly, the applicant has already been admitted to bail in the principal offence (Crime No.125/2025) today vide order dated 12.03.2026 in Cr. Bail Appln. No.S-149/2026. This matter being derivative thereof, the ratio of *Sajjad Ali Maitlo v. The State* (2022 P.Cr.L.J Note 74) applies, bail in a connected recovery case warrants the same consideration as in the principal offence.

8. The applicant has no previous conviction or antecedents of habitual offending. No material exists to suggest risk of tampering with evidence or abscondence. The case falls within the ambit of further inquiry under Section 497(2) Cr.P.C.

9. Resultantly, Cr. Bail Appln. No.S-151/2026 is allowed. The applicant, Deedar Ali S/o Muhammad Iqbal, by caste Rajper, is admitted to post-arrest bail upon furnishing solvent surety of Rs.100,000/- (Rupees One Hundred Thousand)along with a P.R. bond in the like amount, to the satisfaction of the learned trial Court.

10. Observations herein are tentative and shall not prejudice either party at trial. Application disposed of accordingly.

J U D G E