

**IN THE HIGH COURT OF SINDH CIRCUIT COURT LARKANA**

1<sup>st</sup> Criminal Bail Application No. S-114 of 2026

1<sup>st</sup> Criminal Bail Application No. S-115 of 2026

Applicants in Cr. : 1. Muhammad Qasim son of Bakhshal Chachar,  
B.A No.S-114/26. 2. Yasin son of Ghulam Rasool Chachar, through  
Mr. Jhando Khan Jarwar, Advocate.

Applicants in Cr. : 1. Gulzar son of Jaffer Chachar,  
B.A No.S-115/26. 2. Sher Dil @ Sherdin son of Jaffer Chachar,  
through Mr. Jhando Khan Jarwar, Advocate.

Complainant : Muhammad Razak, through Mr. Mazhar Ali Mangrio  
Advocate.

The State : Mr. Sardar Ali Solangi, D.P.G for State.

Date of hearing : 09.04.2026  
Date of Order : 09.04.2026.  
Date of Reasons : 10.04.2026.

**ORDER**

**ABDUL HAMID BHURGRI, J.**- This commons order shall dispose of the above-captioned two bail applications arising out of one and the same crime number.

2. The applicants/accused namely (i) Muhammad Qasim son of Bakhshal Chachar and (ii) Yasin son of Ghulam Rasool Chachar seek post-arrest bail, whereas the applicants/accused (iii) Gulzar and (iv) Sher Dil @ Sherdin, both sons of Jaffer Chachar, seek pre-arrest bail in Crime No.09 of 2026, registered at Police Station Napar Kot, District Shikarpur, for offences punishable under Sections 462-B, 427, 379 and 34, P.P.C., after dismissal of their respective bail applications by the learned V-Additional Sessions Judge, Shikarpur, vide orders dated 23.02.2026 and 03.03.2026.

3. As per F.I.R., on 02.02.2026 at about 1320 hours, while on patrol, the complainant Muhammad Razak, Estate Security Officer of PARCO, allegedly noticed signs of theft of oil within his jurisdiction.

Upon his information, the Maintenance Team Incharge, namely Abdullah Solangi, along with the SHO, P.S. Napar Kot, reached the spot at about 1400 hours and reportedly recovered iron clips, pressure valve parts, etc., under a mashirnama, and thereafter carried out necessary maintenance of the pipeline. On the following day, i.e., 03.02.2026 at about 1430 hours, the F.I.R. was lodged alleging that the present applicants, being owners of the land along with unknown accused persons, had tampered with the PARCO pipeline, dishonestly misappropriated oil, and caused damage thereto.

4. Learned counsel for the applicants contended that the applicants are innocent and have been falsely implicated merely on the basis of ownership of the land where the alleged incident took place; that the occurrence is unseen and un-witnessed; that no incriminating material or stolen property has been recovered from the applicants; and that the case, at best, calls for further inquiry.

5. Conversely, learned counsel for the complainant as well as learned Deputy Prosecutor General opposed the grant of bail.

6. After hearing learned counsel for the parties and examining the material available on record, it is observed that the F.I.R. has been lodged with a delay of about one day, which though not by itself fatal, assumes significance in the peculiar facts of the case where the occurrence is admittedly unseen and un-witnessed. The entire case of the prosecution, at this stage, rests upon the assertion that the applicants are owners of the land where the alleged incident took place. However, mere ownership of the land, in absence of any material showing active participation, facilitation, or conscious knowledge of the

alleged offence, is not sufficient to connect the applicants with the commission of the crime. Furthermore, no recovery of stolen property or incriminating material has been effected from the possession of the applicants, nor has any independent evidence surfaced during investigation to establish their involvement. It is also pertinent to observe that, despite lapse of considerable time since registration of the F.I.R., the investigation has not, so far, yielded any material connecting the present applicants with the alleged offence, nor have the alleged unknown accused persons been identified, which, at this stage, further renders the matter one of further inquiry. Thus, no prima facie nexus between the applicants and the alleged offence has been established, and the connection appears, at best, tenuous and requiring deeper appreciation of evidence.

7. In view of the above, the question of guilt or otherwise of the applicants requires deeper appreciation of evidence, which can only be undertaken during the course of trial and cannot be conclusively determined at this stage. Their case, therefore, squarely falls within the ambit of further inquiry as envisaged under Section 497(2), Cr.P.C.

8. Accordingly, both bail applications were allowed vide short order dated 09.04.2026. The applicants Muhammad Qasim and Yasin were admitted to post-arrest bail subject to their furnishing solvent surety in the sum of Rs.50,000/- (Rupees Fifty Thousand only) each, along with personal recognizance bonds in the like amount to the satisfaction of the learned trial Court. The ad-interim pre-arrest bail

already granted to applicants Gulzar and Sher Dil @ Sherdin was confirmed on the same terms and conditions.

9. These observations are tentative in nature and shall not influence the learned trial Court while deciding the case on merits.

10. These are the reasons for my short order dated 09.04.2026.

*J U D G E*

*Irshad Ali M/Steno*