

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR.
(1). Crl. Bail Application No.S-885 of 2026.

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE
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Applicant: Liaquat Ali S/O Mevo Khan Bhayo
Through Mr.Imdad Ali Malik, Advocate.

The State: Through Mr. Muhammad Raza Katohar D.PG.

(2). Crl Bail Application No.907 of 2026.

Applicant: Noor Muhammad Khan S/O Dur Muhammad
Khan Bhayo
Through Mr.Achar Khan Gabol, Advocate.

The State: Through Mr. Muhammad Raza Katohar, D.PG.

(3). Crl Bail Application No.932 of 2026.

Applicant: PC Wali Muhammad S/O Yar Muhammad
Meerani
Through Mr.Abdul Sattar Thaheem, Advocate.

The State: Through Mr. Muhammad Raza Katohar, D.PG.

Date of hearing & order: 27.10.2026.

Suresh Kumar J:- Through this common order, I intend to decide above three separate bail applications filed on behalf of applicants/accused Liaquat Ali, Noor Muhammad and PC Wali Muhammad arising out of same Crime No.27/2026 Offences U/Ss 342, 355,342109, 337-A(i), F(i), PPC 155-C Police Act,2019, registered at Police Station, Andal Sundrani District Ghotki, in which the applicants/accused seek confirmation of their interim pre arrest bail earlier granted to them by this Court vide orders dated 14.09.2026, 15.09.2026 & 21.09.2026, respectively .

2. The facts of the prosecution, as depicted in the FIR, are that the complainant, SIP Qadir Bux Liyal, lodged an FIR on 29.08.2026. In the FIR, it is stated that a video went viral on social media in which a person was confined naked, and the voice of SIP/SHO Qabil Bhayo could be heard. In

the video, PC Nisar Ahmed Mahar and PC Wali Muhammad Mirani were seen inflicting violence upon that person. Upon inquiry, the complainant learned that on 20.08.2026, at 07:30 hours, SHO Qabil Bhayo, along with Noor Muhammad and Liaquat Ali Bhayo, had cut down trees from Jahanpur Forest. This incident was recorded by Malhan S/O Ameen Shar on his mobile phone, which subsequently went viral. The complainant was asked to delete the video, but upon his refusal, he was arrested at the instigation of Noor Muhammad and Liaquat Ali. Following his arrest, violence was inflicted upon him, and he was undressed inside the lockup.

3. The applicants/accused initially applied for grant of pre arrest bail which was dismissed by the learned Additional Sessions Judge-II, Ghotki vide order dated 11.09.2026. Being aggrieved by this dismissal order, the applicants/accused have approached this Court.

4. I have heard learned counsel for applicants/accused, and learned D.P.G Sindh at length, who strongly opposed the confirmation of interim pre arrest bail of applicants/accused.

5. Having given due consideration to the arguments advanced by the learned counsel for the applicants/accused, the learned DPG, and having perused the relevant material available on record, it is revealed from the perusal of the FIR that applicants/accused Liaquat Ali and Noor Muhammad have allegedly been assigned the role of abetment, while co-accused SHO Qabil Bhayo, PC Nisar Ahmed, and PC Wali Muhammad allegedly inflicted injuries upon the victim, Malhan, who recorded the video of the aforementioned accused persons cutting trees. From the contents of the statement recorded under Section 161 of the Cr.P.C. by PW Malhan, it appears that he has not implicated applicants/accused Liaquat Ali and Noor Muhammad; therefore, the case against them calls for further inquiry.

6. As far as the applicant/accused Wali Muhammad is concerned, he, along with co-accused SHO Qabil Bhayo and PC Nisar Ahmed, has allegedly been assigned the role of causing torture to the victim, Malhan. However, co-

accused SHO Qabil Bhayo and PC Nisar Ahmed have been granted bail after their arrest, and the case of the present applicants/accused is on the same footing. Admittedly, co-accused were granted bail after arrest, but no useful purpose would be served if the pre-arrest bail of the applicant/accused is refused on the technical ground of the absence of mala fides, if otherwise he has made out his case on merits after arrest. In this regard reliance is placed upon the case of Muhammad Ramzan v. Zaffarullah (1986 SCMR 1380) and the case of Khalil Ahmed Soomro v. The state (PLD 2017 SC 730).

7. Moreover, all the sections mentioned in the FIR are bailable. It is settled law that bail in bailable offenses is a matter of right. The applicants/accused have joined the investigation, and they have been appearing before this Court after the grant of interim pre-arrest bail, and they have not misused the concession of ad interim pre-arrest bail.

8. For the foregoing reasons, I am of the considered view that the applicants/accused have made out a case for the confirmation of interim pre-arrest bail. Therefore, the interim pre-arrest bail granted to the applicants/accused on 14.09.2026, 15.09.2026, and 21.09.2026, is confirmed on the same terms and conditions, with a direction to appear before the trial Court as and when required.

9. Needless to say that the above observations are tentative in nature and will not prejudice the case of either party at the time of trial.

JUDGE