

THE HIGH COURT OF SINDH, CIRCUIT HYDERABAD

Crl. Bail Application No. S-795 of 2026

Applicant: Muhammad Ashraf s/o Achar
Through Mr.Shawal Khan Lashari, Advocate

The State: Through Mr.Shahid Ahmed Shaikh, Addl. P.G

Date of Hearing: **07.09.2026**

Date of Order: **07.09.2026**

ORDER

ABDUL MOBEEN LAKHO-J, Through this criminal bail application, applicant Ashraf seeks post-arrest bail in Crime No.40 of 2026, registered at Police Station Saeedabad, District Matiari, for an offence punishable under Section 25 of the Sindh Arms Act, 2013. His earlier bail application was dismissed by the learned Additional Sessions Judge, Hala vide order dated 05.06.2026.

2. Briefly, the prosecution case is that while the applicant and co-accused Noor Muhammad were in police custody in Crime No.35 of 2026, they allegedly disclosed during interrogation that the weapons used in the said occurrence had been concealed in bushes near their houses. It is alleged that, on the pointation of the applicant, one 30-bore TT pistol loaded with two live bullets was recovered from a shopper concealed in bushes near his house, whereafter the present FIR was registered against him under Section 25 of the Sindh Arms Act, 2013.

3. Learned counsel for the applicant contended that the present case is merely an offshoot of Crime No.35 of 2026 and has been registered to provide support to the prosecution version in the main case. It is argued that the alleged recovery has been foisted upon the applicant; that the mashirs are closely associated with the complainant side of the principal dispute; that the recovery is shown after interrogation while the applicant was already in police custody and that the case calls for further inquiry.

4. Learned Additional P.G. opposed the application and supported the impugned order.

5. We have heard learned counsel for the parties and perused the material available on record.

6. Admittedly, the present FIR arose during investigation of main Crime No.35 of 2026 and the alleged recovery has been shown from bushes near the house of the applicant on the basis of disclosure allegedly made while he was already in police custody in the parent case. The present case, therefore, is directly connected with and is an offshoot of Crime No.35 of 2026.

7. It is a matter of record that the connected bail applications arising out of Crime No.35 of 2026 have already been allowed by this Court and the complainant as well as injured persons have filed affidavits expressing no objection to grant of bail to the accused persons involved in the principal occurrence.

8. Tentative assessment of the record reflects that the alleged recovery is shown to have been effected after interrogation while the applicant was already under police custody. The evidentiary value of such recovery and the prosecution version are matters which shall be finally examined by the learned trial Court after recording evidence. At this stage, no useful purpose would be served by further detention of the applicant.

9. It is also pertinent to note that the offence under Section 25 of the Sindh Arms Act, 2013 does not fall within the prohibitory clause of Section 497, Cr.P.C. The challan has already been submitted and the applicant is no longer required for investigation.

10. Keeping in view that the present case is a consequential proceeding arising from Crime No.35 of 2026, and without touching the merits of the case, we are of the tentative view that the applicant has made out a case for grant of bail.

11. Consequently, this bail application is **allowed**. Applicant Ashraf is admitted to post-arrest bail subject to furnishing solvent surety in the sum of Rs.50,000/- (Rupees Fifty Thousand only) and P.R. bond in the like amount to the satisfaction of the learned trial Court.

12. The observations made hereinabove are tentative in nature and shall not prejudice either side at the trial.

JUDGE