

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD**

Criminal Bail Application No.S- 818 of 2026

Date of hearing: 09.09.2026.

Date of order: 09.09.2026.

Miss Neelam Meer Mehrani, Advocate for applicants along with applicants (on bail).

Mr. Altaf Khokhar, D.P.G for State along with IO/ASI Ghulam Abbas Soomro PS Kotri and Gulbahar Oad, SDO Kotri HESCO.

ORDER

ABDUL MOBEEN LAKHO, J.- Applicants/accused Shahid Ali and Nazeer Ahmed seek pre-arrest bail in Crime No.183/2026 registered at Police Station Kotri for offence u/s 462-I PPC. Previously, the applicants/accused applied for the same relief before the learned Sessions Judge/Special Judge (Electricity Utility Court), Jamshoro but the same was declined vide order dated 30.04.2026.

2. The details and particulars of the F.I.R. are already available in the bail application and F.I.R., same could be gathered from the copy of F.I.R. attached with such application, hence needs not to reproduce the same hereunder.

3. Learned counsel appearing on behalf of the applicants contends that applicants are innocent and have falsely been implicated in the case in hand with malafide intention and ulterior motive of the complainant; that the applicants/accused are using Solar System and they have no connection of electricity in their names; that the offence does not fall within the prohibitory clause of Section 497 Cr.P.C. She lastly prayed for confirmation of interim pre-arrest bail.

4. On the other hand, learned D.P.G opposed the confirmation of interim pre-arrest bail on the ground that the applicants/accused are nominated in FIR with specific role of committing theft of electricity by connecting direct wires.

5. Heard learned counsel for the parties and perused the entire material available on record.

6. As per contents of FIR, it is alleged that the complainant received mobile call from his subordinate with regard to theft of electricity to have been committed by the present applicants but he did not bother to associate any independent person of the locality to act as mashir. The allegations leveled in the FIR are without any independent verification. The offence with which the applicants/accused stand charged carries the maximum sentence of 03 years imprisonment. The general rule in such like cases is that bail should be granted unless some exceptional circumstances exist to justify denying the grant of bail. In this case no such exceptional circumstance exists. It is also noted that the case is based on evidence of the HESCO officials and as such the applicants have no chance to tamper with the same. The challan has already been submitted and as such the applicants are no longer required for further investigation.

7. Based upon the above discussion the applicants have made out a good case for grant of pre-arrest bail. Accordingly, the instant bail application is allowed and the interim pre-arrest bail already granted to the applicants on 23.06.2026 is hereby confirmed on same terms and conditions however, subject to furnishing an additional surety in the sum of Rs.70,000/- (Rupees Seventy Thousand) each by the applicants and P.R Bonds in the like amount before the Additional Registrar of this Court.

8. Needless to mention here that the observations made hereinabove are tentative in nature and will not prejudice the case of either party at trial.

9. Pre-arrest bail application is disposed of in above terms.

JUDGE

Tufail