

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Cr. Bail Appl. No. S-809 of 2026
[Narendar Kumar v. The State]

24.08.2026

For orders on office objections
For hearing of main case

Mr. Malik Muhammad Haroon, Advocate along with applicant on interim pre-arrest bail
Ms. Rameshan Oad, D.P.G.

ORDER

Abdul Mobeen Lakho, J.- Applicant Narendar Kumar seeks pre-arrest bail in Crime No. 557 of 2024 registered at Police Station Kotri, District Jamshoro, for offences under Sections 406, 420 PPC, after dismissal of his application for pre-arrest bail by the learned Additional Sessions Judge-I, Kotri, vide order dated 13.09.2025.

2. The details and particulars of the case are already available in the bail application and the FIR and may be gathered therefrom; hence, the same need not be reproduced herein.

3. Learned counsel for the applicant contends that the applicant is innocent and has been falsely implicated in this case; that the applicant was not nominated in the FIR and was subsequently shown as an absconder in the challan; that the applicant was unaware of such proceedings; that co-accused persons have already been granted bail and rule of consistency demands similar treatment; that the alleged offences do not fall within the prohibitory clause of Section 497(1), Cr.P.C.; and that all the prosecution witnesses are interested. Lastly, learned counsel submits that the applicant has remained on interim pre-arrest bail without misuse of the concession and prays for confirmation of the same.

4. On the other hand, learned DPG appearing for the State has opposed the pre-arrest bail application; however, could not satisfactorily respond to the queries raised by the Court.

5. I have heard the learned counsel for the parties and have examined the available material with their assistance. It is an admitted position that the applicant was not nominated in the FIR. At this stage, the prosecution has not been able to satisfactorily explain the circumstances leading to subsequent implication of applicant so as to disentitle him from the extraordinary relief of pre-arrest bail. The offences under Sections 406 and 420, PPC, do not fall within the prohibitory clause of Section 497(1), Cr.P.C. Co-accused Allah Dad and Waheed are already on bail. In the present case, the material presently available does not disclose any compelling circumstance warranting the arrest of the applicant, particularly when he was not nominated in the FIR. The alleged offences fall outside the prohibitory clause, and similarly placed co-accused have already been granted bail.

6. For the foregoing reasons, I am of the tentative view that the case calls for further inquiry within the meaning of Section 497(2), Cr.P.C., and that the applicant has made out a case for confirmation of the interim pre-arrest bail already granted to him. Consequently, the instant bail application is allowed. The interim pre-arrest bail granted to the applicant vide order dated 22.06.2026 is hereby confirmed on the same terms and conditions.

The observations made hereinabove are tentative in nature and would not prejudice the case of either party at trial.

JUDGE