

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Cr. Bail Appl. No. S-1171 of 2026
[Muhammad Saleem v. The State]

16.09.2026

For orders on office objections
For hearing of main case

Mr. G.M. Laghari Advocate for applicant
Mr. Altaf Hussain Khokhar, DPG along with I.O./sip Mujahid Hussain Mangi PS
market Hyderabad

ORDER

ABDUL MOBEEN LAKHO, J.- Through captioned bail application, the applicant seeks post-arrest bail in Crime No.287/2026, registered at Police Station Market, Hyderabad, for offences under Sections 412, 34 PPC, after dismissal of his application for post-arrest bail by the learned 3rd Additional Sessions Judge, Hyderabad, vide order dated 25.08.2026.

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 recovery of stolen vehicle has been foisted upon the applicant; that when the vehicle was not registered one and had no number plate how did the spy informer knew that it was the stolen vehicle i.e. Shahzore; that the investigation is over and the applicants are not required for further investigation; and, that the case of the prosecution calls for further inquiry.

4. On the other hand, learned DPG appearing for the State has opposed the bail application and supported the impugned order.

5. I have considered the submissions of learned counsel for the applicant and learned DPG appearing on behalf of the State and have gone through the material available on record. Admittedly, the witnesses cited in respect of the alleged recovery are police officials, and no private or independent person was associated with the recovery proceedings, despite the prosecution case being that the police party had prior information regarding the availability of the allegedly stolen vehicle at the pointed place. The vehicle in question was allegedly unregistered and was not bearing any number plate. In such circumstances, the basis upon which the alleged spy identified or conveyed that the particular vehicle was stolen property requires examination at trial and cannot, at this stage, be treated as

conclusive against the applicant. The question whether the alleged recovery was in fact effected from the conscious possession of the applicant, and whether the prosecution evidence is sufficient to establish the ingredients of the offence, are matters to be determined after recording and evaluating the evidence at trial. This Court, while deciding a bail application, is not required to undertake a deeper appreciation of the evidence or record a definitive finding on the guilt or innocence of the accused. The applicant is behind bars and the investigation has already been completed. The prosecution has not pointed out any specific investigative purpose for which his further custody is presently required. The material available on record, when assessed tentatively and cumulatively, gives rise to circumstances calling for further inquiry within the meaning of Section 497(2), Cr.P.C. The continued incarceration of the applicant, particularly after completion of investigation, therefore, does not appear to be warranted at this stage.

6. Consequently, the bail application is allowed. The applicant is admitted to post-arrest bail subject to furnishing solvent surety in the sum of Rs.50,000/- (rupees fifty thousand) and PR bond in the like amount to the satisfaction of the learned trial Court.

Needless to observe that the observations made hereinabove are tentative in nature and shall not prejudice the case of either party at the trial.

JUDGE