IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Cr. Bail Application No. S-1111 of 2026

Applicant	:	1. Mst.Aasia w/o Papoo Khan Khokhar, 2. Mst.Sameena /o Nawaz Khokhar. through Mr. Imtiaz Ali Channa, Advocate
Complainant	:	Aamir Ali s/o Muhammad Khan, By caste Bozdar
Respondent	:	The State through Mr. Nazar Muhammad Memon, Additional Prosecutor General, Sindh a/w I.O ASI Taran Kumar
Date of hearing	:	14-09-2026
Date of Short Order	:	14-09-2026
Date of Reasons	:	04-11-2026

O R D E R

JAWAD AKBAR SARWANA, J.- Through the captioned bail application, applicants/accused (i) Mst. Aasia w/o Papoo Khan Khokhar and (ii) Mst. Sameena d/o Nawaz Khokhar, seek post-arrest bail in Crime No.126 of 2026, registered at Police Station Chamber, District Tando Allahyar, for the offences U/Ss 364-A, 511, 34 PPC. Earlier, the learned Ist Additional Sessions Judge, Tando Allahyar, declined their first bail application No. 699 of 2026 vide order dated 05.08.2026.

2. I have heard the learned counsel for the applicants/accused, complainant and the learned APG Sindh and have perused the record, and my observations are as herein below.

3. The background of the matter is set out in the FIR, which, for the sake of brevity, is not reproduced and may be read into this paragraph ad seriatim.

4. The complainant has alleged kidnapping of his 7/8 years old son in the FIR, but he is not an eyewitness to the alleged incident. Further, he has claimed that an 8/9 years old boy informed him that his son had been taken away in a rickshaw. Reasonable grounds open up for further investigation as to how a minor child who was 8/9 years old was able to point out to the complainant-father such that he was immediately able to reach his motorbike in time, chase the alleged rickshaw in the right direction, catch up to it, stop the rickshaw and recover his son, Zaid, without any incident, from four (4)

accused, all of the same family, viz. Khokhar caste. The matter calls for further inquiry on this score, too. Finally, the FIR states that the complainant was helped by accompanying persons, who are also neither named nor identified in the FIR. This aspect of the matter requires further inquiry based on a tentative assessment.

5. Additionally, the learned Counsel for the parties have also filed a "No Objection" affidavit of the complainant, which was taken on record. In the affidavit, the complainant has given his "No Objection" to the two applicant/accused being admitted to bail, notwithstanding that the offences charged against the applicants/accused fall within the category of compoundable and bailable offences, except Section 364-A PPC.

6. Consequently, given the above facts and circumstances, a case is made out to grant, at this stage, post-arrest bail, and no purpose would be served to keep the accused incarcerated, be it as a punishment or fear of flight. Thus, vide my short order dated 14.09.2026, the bail application was allowed and the two applicants/accused, namely (i) Mst. Aasia w/o Papoo Khan Khokhar and (ii) Mst. Sameena d/o Nawaz Khokhar, both by caste Khokhar, were admitted to post-arrest bail in Crime No.126 of 2026, registered at Police Station Chamber, District Tando Allahyar, for the offences U/Ss 364-A, 511, 34 PPC subject to their 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.

7. Needless to mention that the observations made herein are merely tentative and shall not be relied upon by the parties or by the trial Court and shall not influence the learned trial Court at the time of final decision based on merits after recording of evidence.

8. The above are the reasons for my short order dated 14.09.2026.

J U D G E

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