

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

**Crl. Bail Application No.S-158 of 2025**

**Applicant:** Shahmeer son of Yar Muhammad,  
Through Mr. Abdul Hafeez Mari, advocate.

**Respondent:** The State.  
Through Mr. Neel Parkash, D.P.G.

**Crl. Bail Application No.S-159 of 2025**

**Applicants:** 1. Qasim S/o Abdullah,  
2. Shahmeer S/o Yar Muhammad,  
Through Mr. Abdul Hafeez Mari, advocate.

**Respondent:** The State.  
Through Mr. Neel Parkash, D.P.G.

**Complainant:** Mohsin son of Khalil Ahmed,  
Through Mr. Afzal Karim Virk, Advocate.

**Crl. Bail Application No.S-179 of 2025**

**Applicants:** Ramesh @ Ramesh Kumar S/o Bhugro,  
Through Mr. Bhooro Bheel, advocate.

**Respondent:** The State.  
Through Mr. Neel Parkash, D.P.G.

**Complainant:** Mohsin son of Khalil Ahmed,  
Through Mr. Afzal Karim Virk, Advocate.

**Date of hearing:** 13.08.2025

**Date of order:** 13.08.2025

**ORDER**

**Amjad Ali Sahito, J:** Through these three Bail Applications, the applicants/accused seek post-arrest bail in Crime No.56/2025 for offence under sections 395 and 397 P.P.C and Crime No.59/2025 under sections 25(i)-A Sindh Arms Act, 2013 registered at PS Kot Ghulam Muhammad, after their bail plea has been declined by the learned trial court vide order dated 14.06.2025 and 04.07.2025 respectively.

2. The details and particulars of the F.I.R are already available in bail application and the F.I.R, as such, need not to reproduce the same hereunder.

3. Per learned counsel, the applicants/accused are innocent, and the complainant has falsely implicated the applicants/accused in this case; initially the FIR was registered against unknown persons but subsequently they have booked in this case; no specific role has been assigned to the applicants/accused; identification parade was not conducted in accordance with procedure provided by law. He further submits that the applicants/accused are in jail and no more required for further investigation. Lastly, he prayed for grant of the bail.

4. On the other hand, learned counsel for the complainant and learned D.P.G have opposed the grant of bail to the applicants/accused.

5. Heard and perused.

6. The case of the prosecution is that on the night of the incident at about 02:00 a.m., six unknown culprits, having their muffled faces and duly armed with deadly weapons, unlawfully trespassed into the Otaque of the complainant. The applicants/accused persons hostage the complainant party and committed dacoity by depriving the complainant of cash amounting to Rs.2,700/-, a Zong SIM bearing No.0370-08633910, and also snatched a Vivo mobile phone with cash amounting to Rs.3,500/- from the complainant's brother. When the complainant party offered resistance and their muffled faces were removed, they identified accused persons. Further they all were boarded in the car appeared at the place of incident and started robbery and during which their scuffle muffled faces were removed and the complainant party identified some of the accused persons namely Mir Khan Bheel, Mavali Bheel and Daliyo and other persons will be identified as and when they will be arrested. After arrest of some of the accused persons, they put in identification parade before the Judicial Magistrate wherein the complainant party correctly identified the accused persons. During course of investigation, pistol from applicant/accused Shahmeer was recovered and so also the police recovered car which was used in the commission of offence.

7. So far the plea raised by the counsel for the applicants/accused that no specific role has been assigned, suffice to say that Section

391 P.P.C provides that when five or more persons conjointly commit or attempt to commit a robbery, or where the total number of persons conjointly committing or attempting to commit robbery, and persons present and aiding such commission or attempt, amount to five or more, every person so committing, attempting or aiding, is said to commit dacoity, hence all accused persons are responsible for committing robbery in the Otaque of the complainant party.

8. At the stage of deciding a bail application, only a tentative assessment of the material on record is warranted. In the present case, sufficient material exists to connect the applicants/accused with the alleged offence in shape of recovery of crime weapon, robbed articles, identification parade and other circumstantial evidence. No mala fide or ill-will has been attributed to the complainant by the applicants/accused.

9. In view of the foregoing, learned counsel for the applicants/accused has failed to make out a case warranting the grant of bail. Accordingly, the bail applications filed on behalf of the applicants/accused are **dismissed**. However, trial court is directed to expedite the matter and conclude the same within 60 days and submit such compliance report through Additional Registrar of this Court. It is made clear that no adjournment shall be granted to either party on flimsy grounds and trial court proceed the case day to day.

10. The observations made in this decision are of a tentative nature and will not influence the merits of the case.

**JUDGE**

**\*Faisal\***