

THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Bail Application No.S-224 of 2026
Criminal Bail Application No.S-995 of 2026

Applicants: Mst. Gul Bano [Criminal Bail Application No.S-224 of 2026] through Mr. Mumtaz Ali Panhwar, Advocate.
Anwar @ Raja [Criminal Bail Application No.S-995 of 2026] through Mr. Zubair Ahmed Khuhawar, Advocate.

Respondent: The State through Mr. Shawak Rathore, Deputy Prosecutor General, Sindh.

Complainant: Sajid through Mr. Altaf Sachal Awan, Advocate.

Date of hearing: 21.10.2026.

Date of order: 21.10.2026.

ORDER

MUHAMMAD HUMAYON KHAN, J. — By this common order, I decide the above applications for post-arrest bail arising out of the same crime. The earlier bail application of Mst. Gul Bano was dismissed by the learned Model Criminal Trial Court/1st Additional Sessions Judge, Hyderabad, on 24.11.2025. Anwar alias Raja's application was dismissed by that Court on 02.06.2026.

2. The prosecution case, briefly stated, is that on 03.03.2024 the deceased, Muhammad Imran, left in his rickshaw with Anwar alias Raja, Wazeer, Wagar and an unidentified veiled woman. He did not return. His body was later found in a hilly area near village Bachal Shoro, bearing injuries to the head and face. The rickshaw, its documents, mobile phone and purse were also reported missing. The FIR was registered on 08.03.2024.

3. Learned counsel for the applicants submit that the case rests on circumstantial evidence; no one witnessed the murder; and the delay in lodging the FIR and recording statements calls for scrutiny. They challenge the alleged recovery from Anwar and seek parity with co-accused Wazeer, who was granted bail on 09.02.2026. As to Mst. Gul Bano, counsel further submit that the FIR refers only to an unidentified veiled woman, no recovery or specific overt act is attributed to her, and she is a woman caring for an infant child.

4. The learned Deputy Prosecutor General and learned counsel for the complainant oppose the applications. They submit that Anwar was last seen accompanying the deceased towards the area where the body was found and that a hatchet handle was recovered at his pointation. They

further contend that the circumstances, including the medical evidence, must be considered collectively, and that Mst. Gul Bano had remained a fugitive from law.

5. I have heard learned counsel and tentatively examined the available material. The two applicants stand on different footings.

6. As regards Anwar alias Raja, the prosecution relies upon his alleged association with the deceased shortly before the latter's death and the recovery of a hatchet handle under a memo dated 15.03.2024. The alleged last-seen circumstance is not an account of the murder itself, and medical evidence, by its nature, does not identify the assailant. At this stage, however, the alleged recovery, read with the preceding circumstance, provides an additional link requiring examination at trial. Whether the recovered article is connected with the offence and what evidentiary weight it carries are matters for trial. The delay in reporting and recording statements also calls for assessment, but it does not, by itself, erase the other material presently relied upon by the prosecution. The grant of bail to Wazeer does not establish parity, as the alleged recovery attributed to Anwar distinguishes his case at this tentative stage.

7. The case of Mst. Gul Bano is materially different. The FIR describes the woman accompanying the other accused as unidentified and veiled. On the material presently referred to, her identity as that passenger is not independently established; nor is any recovery or specific overt act attributed to her. Any statement of a co-accused recorded by the police, without independent material connecting her with the offence, is not sufficient at this stage to remove the matter from the scope of further inquiry under section 497 (2), Cr.P.C. Her previous abscondence is relevant, but does not replace the requirement to assess the material connecting her with the offence. She is also a woman within the first proviso to section 497 (1), Cr.P.C.

8. For these reasons, Criminal Bail Application No.S-995 of 2026 filed by Anwar alias Raja is **dismissed**. Criminal Bail Application No.S-224 of 2026 filed by Mst. Gul Bano is **allowed**, subject to her furnishing a solvent surety in the sum of Rs.200,000/- (Rupees two hundred thousand) and a P.R. bond in the like amount to the satisfaction of the learned trial Court. The observations made above are tentative and shall not prejudice the merits of the case at trial.

JUDGE