

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

Criminal Bail Application No.S- 1045 of 2026

Date of hearing: 14.09.2026.
Date of order: 14.09.2026.

Mr. Imtiaz Ali Abbasi, Advocate for applicant.

Mr. Shahid Shaikh, Additional P.G for State along with IO/SIP
Fayyaz Zaman PS Tando Yousuf.

ORDER

ABDUL MOBEEN LAKHO, J.- Applicant/accused Zain-ul-Abidin seeks post arrest bail in Crime No.87/2026 registered at Police Station Tando Yousuf, Hyderabad for offence u/s 25-A(i) Sindh Arms Act, 2013. Previously, the applicant/accused applied for the same relief before the learned IInd Additional Sessions Judge, Hyderabad but the same was declined vide order dated 22.07.2026. Hence this bail application.

2. The details and particulars of the F.I.R. are already available in the bail application and F.I.R., same could be gathered from the copy of F.I.R. attached with such application, hence needs not to reproduce the same hereunder.

3. Learned counsel for the applicant/accused has contended that the alleged recovery has been foisted upon the applicant; that investigation is complete in this case; all the PWs are police officials hence there is no question of tampering with the evidence; that after recovery of 30-bore pistol, it was not sent to the Ballistic expert for report; that maximum punishment of the alleged offence would not be awarded to the applicant/accused looking to the facts and circumstances of the case.

4. Learned A.P.G. appearing on behalf of the State halfheartedly opposed the bail application.

5. I am inclined to grant bail to the applicant/accused for the reasons that case has been challaned, investigation is complete. Applicant/accused is no more required for investigation. All the PWs are police officials; there is no question of tampering with the evidence; 30-bore pistol allegedly recovered from the applicant/accused has not been sent to the Ballistic

Expert for its report. Under section 25 of The Sindh Arms Act, 2013, punishment for possessing arms with intent to use for unlawful purpose has been prescribed which may extend to ten years and with fine. The Court while hearing the bail application is not to keep in view the maximum sentence provided by the Statute but the one which is likely to be entailed in the facts and circumstances of the case. It is an admitted fact that applicant/accused has been in jail since the date of his arrest yet commencement of his trial is not in sight, would also tilt the scales of justice in favour of bail rather than jail. Moreover, the applicant has already been granted bail in main case/crime No.86/2026 u/s 324, 353, 34 PPC by this Court and this is the off-shot case.

6. For what has been discussed above, prima facie, the case of the applicant/accused is one of further enquiry as contemplated under section 497(2) Cr.P.C. Consequently, the applicant/accused is granted bail subject to furnishing solvent surety in the sum of Rs.50,000/- (Rupees Fifty Thousand) and P.R. Bond in the like amount to the satisfaction of the trial Court.

7. Needless to mention here that the observations made hereinabove are tentative in nature and will not prejudice the case of either party at trial.

JUDGE

Tufail