IN THE HIGH COURT OF SINDH BENCH AT SUKKUR.
Crl. Bail Application No.S-881 of 2026.

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE

Applicant: Imam Dino S/O Gada Husain Shar
Through Mr.Sohail Ahmed Khoso, Advocate.

Complainant: Naeem Ahmed S/O Bakhat Ali Marhatto
Through Mr.Rukhsar Ahmed Junejo,Advocate.

The State: **Through Mr.Mansoor Ahmed Shaikh, D.PG.**

Date of hearing & order: **11.11.2026**.

Suresh Kumar J:- Through instant Criminal Bail Application applicant/accused Imam Dino Shar seeks post arrest bail in Crime No.91 /2026 for the Offences punishable U/Ss 395, 147,148,149 PPC, registered at Police station, Kandhra District Sukkur.

2. The facts of the prosecution, in a nutshell, are that the complainant, Naeem Ahmed, lodged an FIR on 06.08.2026, stating that on 29.07.2026, he, along with witnesses and driver Nazeer Ahmed, was loading dates into the tractor trolley after de-loading the dates in Rohri Market. When they reached near the Sui Gas Rohri Kandhra road at 3:00 AM on 30.07.2026, the applicant/accused, along with co-accused, robbed them of cash amounting to Rs. 50,000/-, a mobile phone, and the tractor trolley. Thereafter, the complainant appeared at the police station and lodged the FIR.

3. The applicant/accused initially approached before the Court of Additional Sessions Judge-V, Sukkur, for grant of post-arrest bail, which was dismissed, vide order dated 31.08.2026. Being aggrieved by this dismissal order, the applicant/accused has approached this Court.

4. I have heard learned counsel for applicant/accused, learned D.P.G Sindh assisted by learned counsel for complainant and perused the material available on record. Learned counsel for applicant/accused has relied upon the case law reported in 2023 SCMR-734. While learned D.P.G and learned

counsel for complainant have strongly opposed the grant of bail after arrest to the applicant/accused.

5. Having given due consideration to the arguments advanced by learned counsel for the parties and having perused the material available on record, it is revealed from the perusal of the FIR that the applicant/accused is named in the FIR as having committed dacoity of cash, a mobile phone, and a tractor trolley, along with co-accused, from the complainant party. The version of the complainant is supported by the PWs, and the recovery of the robbed mobile phone has also been made from the possession of the applicant/accused. Therefore, prima facie, sufficient material is available on record to connect the applicant/accused with the commission of this crime. Learned counsel for the applicant/accused has pointed out that there is a delay of seven days in lodging the FIR; however, this delay is not fatal to the case, as the complainant has plausibly explained the same. Moreover, the offence under Section 395 PPC is punishable by imprisonment for life or for a term of ten years; therefore, the alleged offence falls within the ambit of the prohibitory clause of Section 497(1) Cr.P.C. No enmity or mala fide has been brought on record by the accused against the complainant party to suggest that they have been falsely implicated in this serious offence of dacoity.

6. With due respect and regard to the case law cited by the learned counsel for applicant/accused, but the facts and circumstances of said case law are quite distinguishable therefore the same not applicable in this case.

7. For the foregoing reasons, I am of the considered view that the applicant/accused has failed to make out his case for grant of bail after arrest. Consequently, the instant Criminal Bail Application is dismissed.

J U D G E

Hizbullah/PA