IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

Cr. Bail Application No.S-1400 of 2026

Applicant(s)	:	Zafar and others Through Mr. Muhammad Arif, Advocate
The State	:	Through Ms. Sana Memon, Asst. Prosecutor General, Sindh
Date of hearing	:	16.11.2026
Date of Order	:	16.11.2026

O R D E R

OMAR SIAL, J:- Applicants Zafar son of Barkat, Allah Parto alias Allah Bux son of Mir Khan, Barkat Ali son of Meer Khan, Wazeer Ali @ Najab son of Imam Bux and Phulhyar alias Deen Muhammad son of Jawen Jatoi seek post-arrest bail in Crime No.73 of 2026, under sections 324, 353, 224, 225-A, 148, 149, 412 PPC registered at the Khudabad Police Station.

2. Briefly stated, the prosecution case, as set forth in the FIR, is that on 12.09.2026, the complainant party, while performing patrolling duty, received spy information that accused Lakhmir, Sanjar and Zafar Ali were present outside their house along with the motorcycle robbed in Crime No.72/2026 under Section 392 PPC, registered at P.S. Khudabad, and were attempting to shift the same. Acting upon such information, the police party reached the spot and apprehended the aforesaid accused. It is alleged that, upon their apprehension, seven persons armed with dandas, guns and pistols arrived at the scene, out of whom accused Barkat Ali and Allah Parto were identified, while the remaining five remained unidentified. The said persons allegedly scuffled with the police party and attempted to secure the release of the apprehended accused, whereas accused Barkat Ali, Sanjar and Lakhmir resorted to firing upon the police party with the intention to commit their qatl-i-amd, whereupon the police also retaliated in self-defense. Thereafter, the assailants allegedly took away the apprehended accused towards their houses. After the encounter, which reportedly lasted for about five minutes, the police party checked the motorcycle left at the spot and found it to be the same motorcycle involved in the aforesaid robbery case. Accordingly, a recovery memo was prepared in the presence of mashirs PC Ali Nawaz and PC Ghulam Abbas, followed by registration of the present FIR.

3. Heard the learned counsel for the applicants and the learned Assistant Prosecutor General, Sindh.

4. The offences with which the applicants have been charged all are bailable except for Section 412 and 324 PPC. Section 412 PPC pertains to stolen property. Both the learned counsel for the applicant and the learned Assistant Prosecutor General have informed me that an FIR bearing Crime No.72/2026 has already been registered under Section 392 PPC at the Khudabad Police Station. No person has been injured in the incident. No property has been damaged. Hence, the ingredients of section 324 PPC are yet to be established. Consequently, the case of the applicants calls for further inquiry within the meaning of Section 497(2), Cr.P.C.

5. Accordingly, the bail application is allowed and the applicants are admitted to post-arrest bail against solvent surety of Rs.100,000 each and P.R. Bond for the like amount to the satisfaction of the Trial Court.

Needless to observe that the foregoing assessment is tentative in nature and shall not prejudice either party at the trial.

JUDGE

Ali Haider