

**IN THE HIGH COURT OF SINDH CIRCUIT COURT**  
**LARKANA**

*Criminal Bail Application No. S-92 of 2026*

**Before;**

*Mr. Justice Ali Haider 'Ada'.*

Applicant : Sajjad Ahmed son of Bashir  
Ahmed Chandio, *through* Mr.  
Suhendar Kumar, Advocate.

Complainant : *Through* Mr. Muhammad Ayoob  
Khanzada, Advocate.

The State : *Through* Mr. Nazir Ahmed  
Bangwar, Deputy Prosecutor  
General Sindh.

Date of Hearing : 15.06.2026  
Date of Order : 15.06.2026.

**ORDER**

**Ali Haider 'Ada' J.-** Through this bail application, the applicant seeks post-arrest bail in FIR No.15 of 2025, registered at Police Station Khabar, for offences punishable under Sections 302, 337-H(2), 114, 148 and 149, P.P.C. Prior to filing the instant application, the applicant approached the learned trial Court for the same relief; however, his bail application was dismissed vide order dated 19.02.2026.

2. According to the prosecution case as reflected in the FIR, the applicant, armed with a pistol, along with his co-accused, allegedly appeared at the place of incident on 02.08.2025 at about 5:00 p.m. and facilitated the commission of the offence wherein Noorullah and Ghulam Mustafa were done to death by firearm injuries. The FIR was lodged on 03.08.2025 at 01:30 hours.

3. Learned counsel for the applicant submits that except for his alleged presence at the place of occurrence, no specific

overt act or active role has been attributed to him. He further contends that the principal role of causing fatal firearm injuries has been assigned to the co-accused persons. Learned counsel further argues that co-accused Ali Ahmed and Israr Ahmed, who were attributed identical roles, have already been granted post-arrest bail by the learned trial Court vide order dated 24.10.2025; therefore, on the principle of consistency, the present applicant is also entitled to the concession of bail.

4. On the other hand, learned counsel for the complainant opposed the application and submitted that the applicant is specifically nominated in the FIR and shared common intention with the principal accused persons, thereby facilitating the commission of the offence. He argued that since the case pertains to a double murder carrying capital punishment, the applicant does not deserve the concession of bail.

5. Learned Deputy Prosecutor General also opposed the application and prayed for its dismissal, contending that the applicant is nominated in the FIR and that his exact role and liability would be determined during trial after recording evidence.

6. I have heard the learned counsel for the parties and examined the available record.

7. Admittedly, the applicant is nominated in the FIR; however, a careful examination of the allegations reveals that no specific injury or overt act has been attributed to him. The prosecution case merely depicts his presence at the place of occurrence at the relevant time. The actual role of causing fatal firearm injuries to the deceased persons has been assigned to the co-accused. The applicant is no longer

required for the purpose of investigation as the challan has already been submitted before the competent Court. His precise role and extent of liability can only be determined after the evidence is recorded at trial. In this regard, reliance is placed upon the judgment reported as SBLR 2025 Sindh 193.

8. Furthermore, it is an admitted position that co-accused Ali Ahmed and Israr Ahmed, who were attributed roles identical to that of the present applicant, have already been granted post-arrest bail by the learned trial Court vide order dated 24.10.2025. The case of the present applicant, therefore, stands on the same footing and attracts the rule of consistency. Guidance in this regard may be sought from the judgment of the Honourable Supreme Court in **Muzammil Hussain v. The State (2026 SCMR 917)**.

9. It is also a settled principle of criminal jurisprudence that grant of bail is the rule and refusal thereof is an exception, particularly where the role of an accused requires further probing at trial, and no useful purpose would be served by keeping him behind bars for an indefinite period.

10. For the foregoing reasons, the instant bail application is allowed. The applicant is admitted to post-arrest bail subject to furnishing solvent surety in the sum of Rs.100,000/- (Rupees One Hundred Thousand only) and a P.R. bond in the like amount to the satisfaction of the learned trial Court. Needless to observe that the findings recorded herein are purely tentative in nature and shall not prejudice either party during the course of trial.

**J U D G E**