

THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Criminal Bail Application No.D-156 of 2026

Present:

Justice Muhammad Faisal Kamal Alam
Justice Tasneem Sultana

Applicant : Amir Ali through Mr. Hafeez Bandhani,
Advocate.

The State : Through Syed Sardar Ali Shah,
Additional Prosecutor General.

Date of Hearing : 11-08-2026
Date of Order : 11-08-2026

ORDER

TASNEEM SULTANA, J.- Through the instant bail application, the applicant, Amir Ali son of Nawaz Ali, seeks post-arrest bail in Crime No.170 of 2025, registered at Police Station Moro, District Naushahro Feroze, for offences punishable under Sections 302, 324, 353, 397, 398, 337-H(ii), 341, 427, 431, 435, 114, 147, 148, 149, 109, 337-A(ii), 337-F(i) and 337-F(iii), P.P.C., read with Sections 6 and 7 of the Anti-Terrorism Act, 1997. The applicant had earlier approached the learned Anti-Terrorism Court, Naushahro Feroze, for the same relief, which was declined vide order dated 03.09.2025.

2. Brief facts of the prosecution case are that on 20.05.2025 complainant SIP Mujeeb-ur-Rehman, along with other police officials, proceeded from Police Station Moro for patrolling. During patrolling, upon receiving information that members of a banned organization, namely JSMM, had blocked the Dadu Road Bypass, the police party reached the spot, where the accused persons allegedly pelted bricks, assaulted the police officials with lathis and resorted to straight firing with the object of deterring them from performing their official duties. It is further alleged that, upon the instigation of accused Saddam Kalhoro through Facebook, accused Waseem Laghari and others, along with about 100 unidentified

persons, also reached the spot and opened fire, resulting in injuries to several police officials. Accused Wishal Laghari was also allegedly injured during the encounter. Consequently, the present FIR was registered.

3. Learned counsel for the applicant contended that the applicant was not nominated in the FIR and was subsequently implicated during investigation through statements recorded under Section 161, Cr.P.C.; that no satisfactory explanation has been furnished for such subsequent implication, particularly when the applicant was allegedly known to the police officials; that no incriminating recovery has been effected from him and no specific role has been attributed to him; and that several co-accused involved in the same crime have already been granted post-arrest bail by this Court vide order dated 21.04.2026 passed in Criminal Bail Application No.D-30 of 2026. He, therefore, submitted that the applicant is also entitled to the concession of bail on the rule of consistency.

4. Learned Additional Prosecutor General, while opposing the bail application reluctantly replied that no specific role has been attributed to the present applicant.

5. Heard and perused the record.

6. It appears from the record that the applicant was not nominated in the FIR and was subsequently implicated during investigation through statements recorded under Section 161, Cr.P.C. The FIR itself shows that several participants were specifically named by the complainant, whereas the present applicant was not amongst them. No satisfactory explanation has been furnished by the prosecution for his omission from the FIR despite the allegation that he was known to the police officials. His subsequent implication during investigation is a circumstance which warrants consideration at this stage.

7. It is also relevant that no incriminating recovery has been effected from the applicant. It is further noteworthy that even learned Additional P.G could not point out any specific role attributed to the present applicant. In these circumstances, the case of the applicant calls for further inquiry within the meaning of Section 497(2), Cr.P.C.

8. The record further shows that co-accused Sadam Hussain, Muzamil Hussain, Ghulam Shabeer, Ghulam Ali, Sajjad Ali, Shahid Ali, Qalab Ali, Mashooq, Wazeer Hussain, Mashood, Manzoor, Mukhtiar and Muhammad Hanif, involved in the same crime, have already been granted post-arrest bail by this Court vide order dated 21.04.2026 passed in Criminal Bail Application No.D-30 of 2026.

9. In view of the above facts and circumstances, the applicant has succeeded in making out a case for grant of post-arrest bail. Consequently, the instant bail application was **allowed** vide short order dated 11.08.2026, whereby the applicant was **admitted to post-arrest bail** subject to furnishing solvent surety in the sum of Rs.100,000/- (Rupees One Lac) and P.R. bond in the like amount to the satisfaction of the learned trial Court. These are the reasons for the said short order.

10. The observations made herein are tentative in nature and confined to the disposal of this bail application.

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