

# IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Cr. Bail Appln. No. S-594 of 2025

Applicant : Liaqat Ali son of Allah Ditto, Lashari  
Through Mr. Akhtar Ali Bhirejo, Advocate

The State : Through Mr. Shafi Muhammad Mahar, DPG

Date of hearing : 06.10.2025  
Date of Short order : 06.10.2025

## **O R D E R**

**KHALID HUSSAIN SHAHANI, J.**— Applicant Liaqat Ali Lashari, seeks pre-arrest bail in a case bearing crime No.41 of 2025, for offences under Sections 365-B, 380 PPC and Section 3 of the TIP Act, registered at Police Station Darya Khan Mari, District Naushahro Feroze,. It is noted that a similar application by the applicant was declined by the learned Sessions Judge, Naushahro Feroze, vide order dated 07.07.2025.

2. The prosecution's case as per the FIR lodged on 28.05.2025 by complainant Imam Ali is that on 24.05.2025, at about 3:00 a.m., the applicant along with co-accused Jameel, Ashraf, Khan Muhammad, and two unknown individuals, armed with weapons, forcibly entered the complainant's residence, abducted the complainant's sister Mst. Manzooran, and stole cash amounting to Rs.300,000/-. The complainant states that the applicant initially assured the return of his sister within 2 to 3 days but later retracted, alleging that the sister had escaped from the custody of Ashraf Ali. Consequent upon; case was registered inter alia on the above facts.

3. Representing the applicant, learned counsel Mr. Akhtar Ali Bhirejo contended that the applicant has been falsely implicated due to a property dispute. He emphasized that the applicant is an old man of 60 years, suffers from heart disease, and the allegations against him only reflect mere presence without any active involvement in the alleged offence. He submitted that co-accused Muhammad Jameel and Ashraf Ali have already

been admitted to post-arrest bail by the learned Additional Sessions Judge Moro via orders dated 07.08.2025 and 13.08.2025, respectively, and co-accused Jan Muhammad @ Khan Muhammad enjoys pre-arrest bail from the learned II-Additional Sessions Judge Moro. The counsel argued that in the interest of consistency and equity, the applicant is equally entitled to bail. He further pointed out that the investigation is complete, the charge-sheet submitted, and the applicant has remained on interim pre-arrest bail since 14.07.2025 without absconding, interfering with the investigation, or abusing the bail concession. On this basis, reliance was placed on authoritative precedents including 2020 SCMR 285, 2008 SCMR 173, 2008 SCMR 249, and 2016 SCMR 907, asserting that the matter merits further inquiry under Section 497(2) Cr.P.C.

4. Oposing bail, the learned Deputy Prosecutor General submitted that the applicant is specifically named in the FIR with a distinctly assigned role, and the ocular evidence recorded in the FIR aligns consistently with statements under Section 161 Cr.P.C. from eyewitnesses, negating any claim of false implication.

5. Having considered the submissions and examined the record, it is well established that pre-arrest bail constitutes an extraordinary remedy, to be granted sparingly and only when the court is persuaded that both on merits the accused deserves bail and that the intended arrest is mala fide or motivated by ulterior considerations.

6. The admitted fact of a landed property dispute forming the backdrop to the case is noted. Given that co-accused Muhammad Jameel and Ashraf Ali have been granted post-arrest bail by the competent court and co-accused Khan Muhammad enjoys pre-arrest bail under similar conditions, I find the argument for parity compelling. In light of consistent judicial approach and in accordance with the principle of consistency enshrined in

the case of Muhammad Saleem (1986 SCMR 1380), the applicant's entitlement to the same relief stands established. Moreover, refusal of bail at this stage would not serve any meaningful purpose.

7. Accordingly, the interim pre-arrest bail granted to the applicant on 14.07.2025 is hereby confirmed on the same terms and conditions.

8. It is made clear that these observations are tentative for the limited purpose of this bail application and shall not prejudice the rights or contentions of either party at the trial.

**J U D G E**