

IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
MIRPURKHAS

Crl. Bail Application No.S-322 of 2025

Applicant: Muhammad Imran S/o Daraz Khan,
Through Mr. Atta Muhammad Shaikh, Advocate.

Respondent: The State.
Through Mr. Ghulam Abbas Dalwani, Deputy P.G.

Date of hearing: 28.11.2025

Date of Order: 28.11.2025

O R D E R

Shamsuddin Abbasi, J: Through this Bail Application, the applicant/accused seeks post arrest bail in Crime No.123/2025 for offence under section 14 of Foreigner Act, 1979 of PS Sinjhor, after dismissal of his bail plea by the learned Additional Sessions Judge-II, Sanghar, vide order dated 29.10.2025.

2. Brief facts of the prosecution case are that on 13-10-2025 during patrolling police party of PS Sinjhor headed by ASI Aziz Ahmed Arain, received spy information that a person is available at Dim Wah Mori in suspicious condition. On such information they reached at the pointed place at 1800 hours where saw that a person was available, he to see police party tried to escape but they apprehended him. On inquiry he disclosed his name as Muhammad Imran s/o Daraz Khan Pathan, r/o Jalalabad Afghanistan. From his personal search nothing was recovered from his possession. On demand of Visa, Passport and other documents, he failed to produce the same. On inquiry he disclosed that due to ongoing campaign against foreigners he tried to hide himself and was waiting for transport. After preparation of such memo, they brought the accused at P.S where complainant lodged instant FIR.

3. Learned counsel for the applicant submits that the applicant is Pakistani citizen and in support of his contentions, he has filed statement alongwith birth certificate of applicant, clearance certificate issued by Assistant Commissioner, Musakhail and SHO Levis Thana Toi Sar. He has further submitted resident certificate issued by Chairman Musakhail, different resident certificates as well as CNIC of his father Daraz Khan which are taken on record. He further submits that applicant is under age, therefore, he has not prepared his CNIC. Lastly, he prayed for grant of

bail. In support of his contentions, father Daraz Khan and brother Nizam Khan have filed their affidavits to the extent that they are Pakistani citizens.

4. Conversely, learned D.P.G for the State has opposed for the grant of bail to the applicant/accused on the ground that the applicant is foreigner.

5. Heard learned counsel for the applicant, learned D.P.G for the State and perused the record.

6. It is alleged that applicant Muhammad Imran is foreigner but in rebuttal, learned counsel for the applicant has filed affidavit of father of applicant namely Daraz Khan as well as brother namely Nizam Khan which shows the present address as Ward No.2, Taluka Sinjhor District Sanghar. In view of this position, case of the applicant calls for further enquiry in terms of Section 497(2) Cr.P.C.

7. In view of the above, the instant bail application is allowed, and applicant/ accused is admitted on post arrest bail subject to furnishing a solvent surety in the sum of Rs.100,000/- (Rupees One Lac only) and P.R Bond in the like amount to the satisfaction of trial court.

8. The observations made here-in-above are tentative in nature and would not prejudice the case of either party at the trial.

The application stands disposed of.

JUDGE

Faisal