

Order Sheet

**IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD**

Cr. Bail Appl. No. S- 16 of 2026

DATE	ORDER WITH SIGNATURE OF JUDGE
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28.01.2026

For orders on office objections
For hearing of main case

Mr. Shoaib Ali Abro, Advocate for Applicant
Mr. Irfan Ali Talpur, D.P.G.

ORDER

OMAR SIAL, J. - F.I.R. No. 411 of 2025 was registered under section 395 P.P.C. at the Kotri police station on 05.09.2025 on the complaint of Abdul Sattar. Sattar reported that on 02.09.2025 he along with some others were travelling on a truck towards the vegetable market when they were intercepted by five persons. Two were identified as Ali Gohar and Ali Haider, the applicants. The perpetrators snatched the mobile phones and cash of the complainant party and left. The applicants seeking bail are Bashir Ahmed and Gada Hussain.

2. I have heard the applicants learned counsel as well as the learned DPG. The complainant remained absent despite notice.

3. There is a three day delay in the lodging of the F.I.R. that is not satisfactorily explained. The learned DPG submits that the complainant was looking for the culprits himself and therefore the delay occurred. I find the explanation unsatisfactory at this preliminary stage as there seems no reason for the police report to be delayed especially when two persons had so accurately been identified by the complainant. The names of the present applicants were identified for the first time in a section 162 Cr.P.C. statement recorded on 20.09.2025. There is no explanation how the complainant got to know that the applicants were involved in the crime. No description of the robbers was given in the F.I.R. or the section 161 statements. No identification parade was held. Malafide cannot therefore be conclusively ruled out. The case against the applicants is one of further inquiry.

4. Given the above, the applicants are admitted to post-arrest bail subject to their furnishing a surety of Rs. 100,000 each and a P.R. Bond to the satisfaction of the learned trial court.

karar_hussain/PS*

JUDGE