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CERTIFICATE OF THE COURT IN REGARD TO REPORTING

Crl. Bail Appl No. S- 217 of 2025

Zeeshan Ali Sohu

V E R S U S

The State

SINDH HIGH COURT

Composition of Bench Before **Mr. Justice Muhammad Saleem Jessar**

Single/D.B.

Dates of Hearing: 26.05.2025

Decided on: 26.05.2025

(a) Judgment approved for
Reporting


YES
NO

C E R T I F I C A T E

Certified that the judgment / Order is based upon or enunciates a principle of law / decides a question of law which is of first impression / distinguishes/ over-rules/ reverses/ explains a previous decision.

Strike out whichever is not applicable.

NOTE: - (i) This slip is only to be used when some action is to be taken.

(ii) If the slip is used. The Reader must attach it to be the top of the first page of the judgment.

(iii) Reader must ask the Judge writing the Judgment whether the Judgment is Approved for reporting.

(iv) Those directions which are not to be used should be deleted

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ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA.
1st CrI. Bail Appln. No.S-217 of 2025.

Date	Order with signature of Hon'ble Judge
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1. For orders on office objection.
2. For hearing of Bail Application.

Applicant : Zeeshan Ali Sohu
Through Mr. Ghulam Ali Abbasi, Advocate.

The State : Through Mr. Ali Anwar Kandhro, Addl. P.G.

Date of hearing : 26.05.2025.
Dated of Order : 26.05.2025.

ORDER

Applicant Zeeshan Ali son of Raza Muhammad Sohu has filed this application seeking his admission on pre-arrest bail in crime No.113 of 2025, registered under sections 401, 324, 353, 34, PPC at PS Kamber City. His application seeking such relief was declined on 18-4-2025 by the Sessions Judge, Kamber-Shahdadkot at Kamber.

2. The background to this case is that on 26-3-2025, ASI Nazar Hussain Chandio lodged the aforementioned F.I.R. narrating therein that a police party led by him being on patrol duty, on a tip-off, spotted and clashed with in all 04 armed culprits, which included the present applicant, at 10.00 p.m., on Kamber-Dost Ali Road near bypass and after face-to-face cross-firing, all the accused persons taking advantage of darkness of night made their escape good; hence, the complainant registered FIR on behalf of State.

3. Heard. Record perused.

4. Learned counsel for the applicant has focused his argument on the fact that the alleged encounter never actually happened and that it is unbelievable that in spite of the shootout between the police and four armed accused persons, no member of either party received any injury. He submitted that the applicant has been falsely involved in the case and that he has no past criminal record and only one other case bearing Crime No.114/2025 was registered

against him at the same police station, that too on 27.3.2025 i.e. one day after registration of FIR of this case.

5. The learned Addl. P.G. does not oppose the bail application, on the ground that no body from the either side is shown to sustain any injury during the alleged encounter.

6. Surprisingly, despite cross-firing between the culprits and police personnel, nobody from either side sustained any injury or even any scratch to attract Section 324, PPC and even the mobile van of police was not hit by any bullet. As far as Section 353, PPC is concerned, same due to non-availability of any injury sustained by any member of police party, is yet to be established by the prosecution. As far Section 401, PPC is concerned, learned Addl. P.G. admitted that no criminal case, except Crime No.114/2025 lodged after one day of this case with the same police station, has been shown registered against the present applicant; and even on the night of alleged incident no any offence was shown committed and/or reported within the jurisdiction of PS Kamber City, therefore, basic ingredients for applying Sections 401, PPC are also lacking and yet to be established by the prosecution after recording evidence of its witnesses. This fact alone would form the basis of granting bail to the applicant. Whether the alleged encounter was a genuine one is yet to be proved at trial after evidence is led. Upon a tentative assessment of the record, it appears that the case against the applicant requires further enquiry as envisaged under sub-section (2) to Section 497, Cr.P.C, therefore, it would be safe to enlarge the applicant on bail pending trial.

7. Accordingly and in view of above, instant bail application is allowed. The interim pre-arrest bail already granted to the applicant is hereby confirmed on same terms and conditions.

JUDGE