ORDER SHEET

IN THE HIGH COURT OF SINDH CIRCUIT COURT HYDERABAD

Present:
Mr. Justice Omar Sial
Mr. Justice Muhammad Humayon Khan

Criminal Bail Application No.D-283 of 2026
[Shafi Muhammad & others vs the State]

Criminal Bail Application No.D-284 of 2026
[Kifayatullah vs the State]

Criminal Bail Application No.D-287 of 2026
[Ghulam Mustafa & others vs the State}

Criminal Bail Application No.D-290 of 2026
[Abdul Aziz @ Aziz vs the State]

Criminal Bail Application No.D-291 of 2026
[Muhammad Saleh vs the State]

Date of hearing: 20.10.2026.
Date of order: 27.10.2026.

M/s Mumtaz Alam Laghari, Sahir Ayaz Palijo, Advocate for applicants.

Ms. Rameshan Oad, D.P.G along with I.O/Inspector Syed Imamuddin Shah PS Hatri, Hyderabad.

O R D E R

OMAR SIAL, J. **Shafi Muhammad** s/o Muhammad Ismail Baghal, **Abbas** s/o Muhammad Ismail Baghal, **Muhammad Siddique** s/o Muhammad Ramzan, **Iqbal** s/o Qadir Bux, **Altaf** s/o Hussain, **Afaque** s/o Hussain, **Yar Muhammad** @ Yaroo s/o Wahido, **Saddam** s/o Hussain, **Abdul Rehman** s/o Muhammad Ishaque, **Arif** s/o Muhammad Rahim, **Kifayatullah** s/o Gulzar Ali, **Ghulam Mustafa** s/o Ranjho, **Javed Ali** s/o Ghulam Mustafa, **Raja** s/o Ghulam Mustafa, **Abdul Aziz @ Aziz** s/o Haji Bux and **Mohammad Saleh** s/o Dawood, all seek post-arrest bail in crime number 238 of 2026 registered under sections 353, 324, 147, 148, 149, 186, 427, 440, 506, 504, 341, 342, 337-A(i), 337-F(i) and sections 6 and 7 of the Anti-Terrorism Act, 1997.

2- The F.I.R. was registered on information provided by Inspector Ghulam Farooque Rahpoto to the Hatri police station on 09.07.2026 at 11:30 p.m. about an incident that occurred at about midnight the previous day, i.e., the night between the 7th and the 8th of July.

3- Rahpoto reported that on July 7, 2026, at 18:30 hours, a police team consisting of SIP Munir Ahmed Mangrio, ASI Abdul Hakeem Palari, PC Jam, PC Muhammad Younis, and LPC Farzana, led by DPC Abdul Majeed, proceeded to Village Fazal Baghal in government vehicle No. SPD-971. The mission was executed on the orders of the Learned 4th Additional Sessions Judge, Hyderabad, regarding a Section 491 Cr.P.C. application filed by Riaz Ali S/O Tharo Mallah to recover his detained wife, Mst. Taniya. Upon arrival outside Shafi Muhammad Baghal's house, Mst. Taniya ran out and safely boarded the vehicle under LPC Farzana's protection. However, an aggressive mob armed with lathis, hatchets, and weapons emerged. While the vehicle with the recovered woman escaped, the remaining staff—Munir Ahmed, Abdul Hakeem, Jam, and Younis—were dragged inside Shafi Muhammad's house, violently assaulted, and taken hostage.

4- DPC Abdul Majeed immediately alerted the Inspector/SHO at PS Hatri via wireless at 20:00 hours. The SHO mobilized a rescue party, including PC Sajjad Ali, PC Shahnawaz, PC Ghulam Abbas, PC Ali Murad, PC Sahib Khan, and PC Arif Ali, along with reinforcements from PS Rahuki and other police mobiles. Upon reaching the village, the combined police force encountered about 250 armed men and women blocking the road. The mob opened straight fire on the police, who fired back in self-defense, causing some attackers to retreat while others raised slogans, spreading widespread public terror. As the police advanced, the rioters launched a physical attack, injuring PC Sajjad Ali, PC Shahnawaz, PC Ali Murad, and DPC Ghulam Rasool (PS Rahuki). The mob also smashed the windshields and side mirrors of PS Hatri vehicle No. SPD-971 and PS Rahuki vehicle No. SPE-789.

5- The police party successfully transferred their injured staff and rescued the four hostaged officials from Shafi Muhammad's house. The rescued officials were also found injured, and the uniforms of PC Jam and PC Younis Ali were violently torn. Despite being encircled, the police secured additional backup and arrested 16 accused individuals on the spot, recovering their weapons. Under torchlight, a mashirnama of arrest and recovery was prepared, with SIP Munir Ahmed Mangrio and ASI Abdul Hakeem Palari acting as mashirs. The arrested persons were identified as Shafi Muhammad S/O Muhammad Ismail Baghal, Abdul Rehman S/O Muhammad Ishaque Baghal, Jawaid S/O Ghulam Mustafa Baghal, Muhammad Saleh S/O Dawood, Ghulam

Mustafa S/O Rajho Baghal, and Arif S/O Muhammad Rahim Baghal (all with hatchets); Iqbal S/O Qadir Bux Baghal, Aziz S/O Haji Bux alias Hajhoro Baghal, and Mst. Kulsoom W/O Jawaid Baghal (all with lathis); and Muhammad Siddique S/O Muhammad Ramzan Baghal, Abbas S/O Ismail, Kifayatullah S/O Gulzar Ali Baghal, Yar Muhammad alias Yaroo S/O Wahido Palari, Altaf S/O Hussain Baghal, Afaque S/O Hussain Baghal, and Saddam S/O Hussain Baghal (all with iron rods).

6- A crime scene inspection yielded 33 empty casings (12 SMG, 13 pistol, and 8 gun) which were sealed for Forensic Science Laboratory analysis. Interrogation and on-scene recognition revealed that 27 named suspects had escaped alongside 150 to 200 unidentified individuals. The escaped male suspects were Ali Sher S/O Loung Bhagal, Aijaz S/O Badal Baghal, Ayaz S/O Shafi Muhammad Baghal, Imtiaz alias Bholo S/O Shafi Muhammad Baghal, Imran alias Nooni S/O Ghulam Baghal, Papu S/O Loung Baghal, Mushtaque S/O Gull Muhammad Baghal, Ashique S/O Gul Muhammad Baghal, Mashooque S/O Gul Muhammad Baghal, Shaman S/O Gul Muhammad Baghal, and Nadeem S/O Allah Jurio Baghal. The escaped female suspects were Mst. Izzat Khatoon W/O Loung Baghal, Asma W/O Raja, Anmol W/O Imran, Zaheeran W/O Gulzar, Guddi W/O Ashraf Palari, Amna W/O Shafi Muhammad Baghal, Anjuman W/O Ali Sher Baghal, Yasmeen W/O Sajjad Baghal, Shamim W/O Yousuf Sandh, Saveera W/O Imtiaz Baghal, Mahak W/O Ayaz Ali Baghal, Shabana W/O Jharo Baghal, Rasheeda W/O Murad Baghal, Shazia W/O Papu Baghal, Popri W/O Jumoon Baghal, and Zubeida W/O Khair Muhammad Baghal.

7- The police party locked up the 16 arrested individuals at PS Hatri and issued official medical letters for the injured staff, including SIP Munir Ahmed Mangrio, ASI Abdul Hakeem Palari, and PC Jam. Police securely sealed the torn uniforms of PC Jam and PC Younis Ali as material evidence. A formal state case is being registered against all the named arrested suspects, the escaped individuals, and the unknown rioters for obstructing public servants, armed assault, damaging government property, and creating public terror.

8- We have heard the learned counsels and the learned Assistant Prosecutor General.

9- Upon a tentative assessment, it seems that a police party was attacked by hundreds of people in a mob. In such circumstances, the identifications made, together with the parentage, seem odd. CCTV footage, upon tentative analysis, shows that one of the accused, i.e., Shafi Mohammad, was not even present at the spot when the incident was said to have occurred. We also find

it unbelievable that, facing a mob of hundreds of armed people, a relatively small police party was able to arrest sixteen persons. It appears to us that names have been added to an open F.I.R. The bona fides of the section 491 Cr.P.C. application which catalysed the whole incident is yet to be looked into. Upon a tentative assessment, we also find the police claim that dozens of persons were firing straight at them rather unbelievable. If a huge mob had wanted to kill the policemen, surely dozens of armed men should have succeeded in hitting one policeman. Not one person was hit by a bullet. At this preliminary stage, the possibility that the police malafide threw the net wide and exaggerated the incident cannot be conclusively ruled out. The roles of the accused is also not clear at this stage.

10- All sections of the P.P.C. (except sections 440 and 324 P.P.C.) are bailable, in which bail is to be granted as a matter of right. Keeping in mind that no policeman was hit by a bullet and also our observation made above regarding the possibility of all police persons remaining safe from bullet injuries, it is yet to be seen whether the ingredients of section 324 P.P.C. were satisfied. Similarly, it is yet to be established that the mob attacked the police after a prior meeting of the minds. As regards the offences under the terrorism legislation, it is yet to be shown that the ingredients of sections 6 and 7 of the ATA 1997 were satisfied.

11- Given the above, the applicants are admitted to post-arrest bail against solvent sureties of Rs.200,000 each and P.R. Bonds for the like amount, subject to the satisfaction of the learned trial court.

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Ahmed/Pa,