

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

**Crl. Bail Application No.S-140 of 2025**

**Applicants:** Muhammad Hayat son of Darya Khan,  
Through Mr. Yar Muhammad Mangrio, Advocate.

**Respondent:** The State.  
Through Mr. Dhani Bakhsh Mari, A.P.G.

**Complainant:** Ghulam Nabi son of Kareemdad,  
in person.

**Date of hearing:** 08.08.2025

**Date of order:** 08.08.2025

**O R D E R**

**Amjad Ali Sahito, J:** Through this Bail Application, the applicant/accused seeks pre arrest bail in F.I.R No.17/2025 for offence under sections 324, 337-A(i) 337-F(i), 147, 148, 149 and 114 P.P.C registered at PS Naukot, after rejection of his bail plea by the learned trial court vide order dated 24.05.2025.

2. The details and particulars of the F.I.R are already available in bail application and the F.I.R, as such, need not to reproduce the same hereunder.

3. Per learned counsel, the applicant/accused is innocent, and the complainant has falsely implicated the applicants in this case; the allegations against the accused is only of instigation. The complainant has admitted that there was enmity between the parties, as such false implication cannot be ruled out. Lastly, he prayed for confirmation of the bail.

4. Learned A.P.G has opposed the grant of bail to the applicant/accused. Complainant is present and states that the applicant is involved in this case and prayed that application be dismissed.

5. Heard and perused.

6. From perusal of the record, it reflects that the role assigned to the applicant is only of instigation and it is yet to be determined by

the learned trial Court at the stage of recording evidence, particularly as to whether the applicant shared a common intention with the co-accused in the commission of the alleged offence or not. The applicant is attending the court and has not misused the bail and that he is no more required for further inquiry. He pleaded malafide on the part of the complainant.

7. In view of above, the learned counsel for the applicant has successfully made out a case for the grant of bail within the contemplation of subsection (2) of Section 497, Cr.P.C. Consequently, the instant bail application is allowed, and the interim pre-arrest bail earlier granted to the applicant, is hereby confirmed on the same terms and conditions.

8. The observations made in this decision are of a tentative nature and will not influence the merits of the case.

**JUDGE**

*\*Faisal\**