

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA

Cr. Bail Appln. No.D-39 of 2025
Cr. Bail Appln. No. D-40 of 2025

Before:-

Mr. Justice Shamsuddin Abbasi
Mr. Justice Ali Haider "Ada"

Applicants
(in Cr. Bail. Appln. No. D-39 of 2025)

1. Ali Mardan
2. Majid Ali
3. Kamran Ali
4. Ahmed Raza
Through Mr. Abdul Wajid
Khokhar advocate

Applicants
(in Cr. Bail. Appln. No. D-40 of 2025)

1. Abdul Hakeem
2. Shahzado
3. Rabail
4. Bahan @ Gul Khan
5. Azad
Through Mr. Muhammad
Shareef Ghanghro, advocate

State

Through Mr. Nazeer Ahmed
Bhangwar, D.P.G for the State

Date of hearing
Date of order

03-09-2025
03-09-2025

ORDER

Shamsuddin Abbasi, J.- Through these two bail applications, applicants Ali Mardan, Majid Ali, Kamran Ali, Ahmed Raza, Abdul Hakeem, Shahzado, Rabail, Bahan @ Gul Khan and Azad, seek post arrest bail in FIR No.114/2025 of P.S Ratodero, for offence u/s 353, 324, 395, 511, 224, 225, 504, 147, 148, 149, 337-A(i), 337-H(ii) P.P.C and 6/7 ATA, after rejection of their bail plea by learned trial court vide order dated 02.08.2025.

2. The facts of the prosecution case are that complainant ASI Ghazan Ali Soomro lodged the FIR at Police Station Ratodero, stating therein that on the day of the incident, the applicants/accused, along with others, formed a mob and arrived at the police station, drew pistols from their folds and pointed them at others, and made aerial firing inside the police station, with bullets striking its walls and boundary. Thereafter, they allegedly attempted to release the already detained accused, Yaseen Ali. Accused Rabail and Shahzado Ghanghra reportedly tried to snatch the official rifle from HC Muhammad Younis, resulting in the rifle being broken. Upon

resistance, HC Muhammad Younis and HC Muhammad Hafeez sustained injuries. Subsequently, the complainant lodged the FIR.

3. Learned counsel for applicants have jointly contended that applicants are innocent and they have been falsely implicated in this case with mala fide intention and ulterior motives; that there is private dispute between two communities Vessar and Ghanghras; that applicants were shown empty handed at the scene of offense and mob of two communities approached to the Police Station in order to resolve their dispute but police has implicating them in a false case; that as per allegation the unknown accused tried to release the arrested accused Yaseen Ali, who was confined and injuries sustained by police constable Muhammad Yunus and HC Muhammad Hafeez are bailable; that nothing incriminating material has been recovered from their possession; that there is no C.R.O showing that the applicants were implicated in any other case, hence their case requires further inquiry in terms of Section 497 Cr.P.C. They have prayed for grant of post-arrest bail.

4. On the other hand, learned D.P.G. opposed for grant bail on the ground that the applicants are nominated in the F.I.R and they actively participated in the alleged offence, hence they are not entitled for grant of bail.

5. Heard learned counsel for applicants, learned D.P.G and perused material available on the record.

6. From tentative assessment of material available on the record, it appears that people of Vessar and Ghanghra community were fought with each other in Ratodero town and a mob consist upon 60 to 70 persons of both communities reached at Police Station, where they abused each other and pointed their weapons on each other and made aerial firing inside the Police Station. The applicants were shown empty handed at the scene of offence. It is further alleged in the F.I.R that unidentified accused of Vessar community tried to release the arrested accused Yaseen from the Police lockup and unidentified accused also caused injuries to police constables Muhammad Yunus and Muhammad Hafeez and as per their medical evidence the injures were declared as *Jurh Ghyr Jaifa Damiyah*, offence U/S 337-F(i) P.P.C, which is bailable offence. Injuries were not explicitly linked to them. Allegations are general and no specific attribution

is made. Injuries are bailable and on non-vital parts. The applicants are in custody since their arrest. The case has been challaned and applicants are no more required for further inquiry. Sufficient grounds are available on record which calls for further enquiry in terms of Section 497(2) Cr.P.C.

7. Accordingly, the applicants are admitted on post-arrest bail subject to furnishing solvent surety in the sum of Rs.100,000/- each and P.R bonds in the like amount to the satisfaction of learned trial court.

8. The above observation made herein is tentative in nature and would not prejudice the case of either party in trial.

J U D G E

J U D G E

Abdul Salam/P.A