

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

**Criminal Bail Application No.S-238 of 2025**

Applicants: 1 .Nomi @ Allah Dino s/o Najaf Ali,  
2. Mujahid Hussain s/o Nazar,  
3. Sheru @ Sher Ali s/o Ashku @Karim Bux,  
4. Muhabbat Ali s/o Nazar Ali.  
Through Mr. Muhammad Yaseen. M  
Khaskheli, Advocate.

Respondent: The State through Mr. Neel Parkash,  
Deputy Prosecutor General, Sindh.

Complainant: Aadil (Called absent)

Date of hearing: **01.10.2025**

Date of Order: **01.10.2025**

**O R D E R.**

**AMJAD ALI SAHITO, J:-** Through this bail application, the applicants/accused above named seek their post-arrest bail in Crime No.82 of 2025, under sections 324, 337-A(i), 337-F(i), 506(2), 504, and 34 PPC, registered at P.S Sinjhor, after their bail plea was declined by the learned Additional Sessions Judge-II, Sanghar.

2. The details and particulars of the F.I.R. are already available in the bail application and F.I.R., same could be gathered from the copy of F.I.R. attached with such application, hence needs not to reproduce the same hereunder.

3. Per learned counsel, although the names of the applicants/accused appear in the FIR, but the complainant disclosed in the FIR that he seen whole incident from hole of shutter about causing injury to his father and brother. The injuries mentioned in the FIR

are bailable. He further argued that the complainant has not disclosed the motive of the offence in the FIR. He has further argued that the applicants/accused are in judicial custody, they are no more required for further investigation, and he prays for grant of bail.

4. Conversely, learned D.P.G Sindh vehemently opposed for grant of bail to the applicants/accused.

5. Heard and perused.

6. From a careful perusal of the record, it emerges that although the names of the applicants/accused are mentioned in the FIR, the complainant has stated therein that he witnessed the entire incident through a hole in the shutter, during which injuries were caused to his father and brother. However, the complainant has not disclosed the motive of the offence in the FIR. Furthermore, the injuries mentioned in the FIR are bailable.

7. Furthermore, the applicants did not reiterate or repeat the hatchet/lathi blows upon the injured persons so as to establish an intention to cause their death; therefore, at this stage, the provisions of Section 324, Pakistan Penal Code, 1860, are not attracted. In such circumstances, the involvement of the applicants/accused in the commission of the alleged offence appears doubtful, and their case prima facie falls within the ambit of "further inquiry" as envisaged under Section 497(2), Cr.P.C. Furthermore, it remains to be determined at the trial, upon the recording of evidence, whether the applicants/accused shared any common intention or common object. The applicants/accused are presently confined in judicial custody and are no longer required for further investigation.

8. In view of the above the learned counsel for the applicants has made out a case for the grant of bail

under Subsection (2) of Section 497, Cr.P.C. Post-arrest bail is granted to the applicants/accused, subject to their furnishing solvent surety in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) each, to the satisfaction of the learned trial Court.

**9.** Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the learned Trial Court while deciding the case of the applicants on merits.

JUDGE

*\*Adnan Ashraf Nizamani\**