

HIGH COURT OF SINDH CIRCUIT COURT MIRPURKHAS

Criminal Bail Application No.S-21 of 2026

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Applicants: (i). Ali Asghar s/o Mir Muhammad.
(ii). Mulazim s/o Alam,
Through Mr. Imam Bakhsh Baloch,
Advocate.

Respondent: The State
Through Mr. Neel Parkash, D.P.G

Complainant: Dildar Ali s/o Bangul Khan Zardari
(called absent)

Date of Hearing: 09.02.2026

Date of Order: 09.02.2026

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ORDER

Miran Muhammad Shah, J:- Applicants namely Ali Asghar and Mulazim seek post-arrest bail in Crime No.41 of 2025 for offence under Sections 506(2), 337-J, 34 PPC and 5-8(i) Gutka Manpuri Act, 2022 registered at Police Station Darya Khan Rind @ Maqsoodo Rind, after dismissal of their bail plea by the learned Additional Sessions Judge, Shahdadpur, vide order dated 07.01.2026.

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. Learned counsel for the applicants submits that the applicant are innocent and have been falsely implicated in the present case; that the complainant approached the learned Sessions Court for lodgment of the FIR and obtained the relevant order; however, the police registered the FIR under section 337-J PPC, whereas the contents of the FIR do not disclose or attract the said offence, including any allegation of administration of poison; that the FIR was lodged with a delay of more than two months without any plausible explanation; that the case has been treated as C-Class by the learned Magistrate; that there is no direct evidence on record connecting the applicants with the alleged

offence. Lastly, he prayed for the grant of bail.

4. Conversely, learned D.P.G., Sindh has vehemently opposed the grant of bail to the applicants/accused on the ground that the applicants/accused are nominated in the FIR. He prayed for dismissal of the instant bail application.

5. I have heard the learned counsel for the applicants, learned D.P.G for the State and perused the record.

6. It seems that no offence is made out. The complainant approached the learned Sessions Court for lodgment of the FIR, as a result of which section 337-J PPC was applied; however, the said section is attracted only in cases where poison may be given to the victim, whereas no such allegation regarding poison is mentioned in the contents of the FIR and the allegations do not match with section applied in the FIR. However, section 337-J PPC cannot be applied to the FIR, as it does not match with the facts of the case. Learned counsel for the applicants also states that the case has been treated as C-Class by the learned Magistrate. In above circumstances, the applicants are admitted to post-arrest bail subject to furnishing solvent surety in the sum of Rs.30,000/- (Rupees Thirty Thousand only) each and a P.R. bond in the like amount to the satisfaction of the learned trial Court.

7. The observations made here-in-above are tentative in nature and would not prejudice the case of either party at the trial.

The application stands disposed of.

JUDGE