

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS

Crl. Bail Application No.S-407 of 2025

Applicants: Ali Sher & Abdul Latif both sons of Jamal
Through Mr. Shoukat Ali Rahimoon, Advocate.

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

Date of Hearing: 03.02.2026

Date of Order: 03.02.2026

ORDER

Miran Muhammad Shah, J: Through this Bail Application, the applicants/accused Ali Sher and Abdul Latif seek pre-arrest bail in Crime No.273/2025 for offence under sections 337-F(i), 337-F(vi), L-ii, 114, 506(2), 504, 147, 148, 149 PPC of P.S Khipro, after dismissal of their bail plea by the learned Additional Sessions Judge-, Khipro, vide order dated 19.12.2025.

2. Learned counsel for the applicants contends that admittedly there is dispute between the parties over landed property, due to which applicants/accused have been booked in this FIR with malafide intention; that the FIR is delayed for about 02 days without any plausible explanation; that all the sections are bailable except 506(ii) PPC and do not fall within prohibitory clause of section 497(i) Cr.P.C; that co-accused Mehrab has been granted bail by learned trial Court as such applicants/accused are also entitled for same leniency. Lastly, he prayed for confirmation of pre-arrest bail. He relied upon case laws reported in 2023 SCMR 1243, 2021 SCMR 130, 2021 SCMR 2086, 2017 PLD 73 SC, 2025 MLD 1196, 2025 YLR 1954 and 2018 YLR 204.

3. Learned A.P.G for the State, assisted by learned counsel for complainant have opposed for the grant of bail on the ground that applicants are nominated in the F.I.R and they have actively participated in the alleged offence.

4. Heard learned counsels for both the parties as well as learned A.P.G for the State and perused the record.

5. The injuries caused by both the applicants/accused were on non-vital part of body and as per medical report injuries caused through hard

blunt substance. Enmity is admitted by the prosecution, hence, malafide cannot be ruled out. All the sections applied do not fall within prohibitory clause of section 497 Cr.P.C and such like situation it is to be determined at the time of trial as to who caused injury to the applicants/accused. One of the co-accused Mehrab with similar role has been granted bail by learned trial Court vide order dated 19.12.2025. The matter has already been challaned and case is fixed for trial before learned trial Court.

6. In such circumstances, I am inclined to confirm the bail of present applicants/accused, and ad-interim pre-arrest bail earlier granted to the applicants vide order dated 23.12.2025 is hereby confirmed on the same terms and conditions.

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

Chander Kumar