

IN THE HIGH COURT OF SINDH KARACHI
Cr. Bail Application No.593 of 2026

Applicant : Muhammad Tahir son of Malik shah
Through Mr. Qazi Inamullah, Advocate

Complainant : Sajid Khan son of Sahib Shah
Through Mr. Kamran Asghar, Advocate

Respondent : The State
Through Mr. Muhammad Mohsin Mangi,
APG

Date of hearing : 15.04.2026
Date of order : 15.04.2026

ORDER

MIRAN MUHAMMAD SHAH, J:- Through captioned criminal bail application, applicant Muhammad Tahir son of Malik Shah, seeks pre-arrest bail in Crime No.78 of 2026, registered at P.S Orangi Town, for the offences punishable under Sections 147, 148, 149, 337-A(iii) and 337-A(i) PPC. Prior to this the applicant had approached to the court of learned Additional Sessions Judge-II, Karachi West, for the same relief but it was declined vide order dated.20.02.2026. He was granted interim pre-arrest bail by this court on 24.02.2026, which is now fixed for confirmation or otherwise.

2. The facts of the case are need not to be reproduce herein, as the copy of FIR is attached with the bail application and the facts are also stated in detail therein.

3. Heard and record perused.

4. Now doubt that the applicant has been nominated in the FIR; however, all the offences alleged therein are bailable except Section 337-A(iii) PPC. The medical evidence, prima facie, appears to be

contradictory to the ocular account, and learned counsel for the applicant has contended that the medical certificate has already been challenged. The applicability of Section 337-A(iii) PPC is a matter to be determined by the learned Trial Court after recording of evidence, as at this stage this Court cannot probe into such questions beyond a tentative assessment of the record. Furthermore, there is delay of about six days in lodging the FIR for which no plausible explanation has been furnished by the complainant. It is also an admitted position that the parties are inimical to each other on account of a property dispute. Learned counsel for the applicant has further submitted that prior to the present case, another FIR bearing No. 265/2024 under Sections 147, 148, 149, and 337-A(i) PPC was registered at the same police station against the applicant party by the complainant party, which was later disposed of due to non-prosecution. Moreover, the co-accused have already been granted pre-arrest bail by the learned trial court . Thus, the case of the applicant falls within the ambit of further inquiry as contemplated under Section 497(2) Cr.P.C., entitling him to the concession of bail. The record further reflects that after obtaining interim pre-arrest bail, the applicant has joined the investigation and is regularly attending the proceedings. There is nothing on record to suggest that he has misused the concession of interim bail. In view of the above circumstances, the applicant has made out a case for confirmation of pre-arrest bail. Consequently, the interim pre-arrest bail already granted to the applicant vide order dated 24.02.2026 is hereby confirmed on the same terms and conditions.

5. Needless to mention here that the observation made herein above are tentative in nature and would not influence the trial court while deciding the case of the applicant on merits. However, in case the applicant misuses

the concession of bail in any manner, the trial court shall be at liberty to cancel the same after giving him notice, in accordance with the law.

Criminal bail application stands disposed of.

JUDGE

Suleman Khan/PA

