

IN THE HIGH COURT OF SINDH KARACHI
Cr. Bail Application No.2893 of 2025

Applicants : i. Rashid Ali s/o Allah Bachayo
ii. Fayaz Ali s/o Allah Bachayo
Through Mr. Shabbir Ahmed
Kumbhar, Advocate

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

Date of hearing : 12.05.2026
Date of order : 12.05.2026

ORDER

MIRAN MUHAMMAD SHAH, J:- Through this bail application, applicant Rashid Ali and Fayaz Ali both sons of Allah Bachayo, seek pre-arrest bail in Crime No.354/2025, registered at Police Station Sujawal, for the offence punishable under Sections 324, 440, 147, 148, and 149 PPC. Prior to this, the applicants had approached the Court of learned Additional Sessions Judge-I, Sujawal, for the same relief but it was declined vide order dated.16.10.2025. They were granted interim pre-arrest bail by this court on 21.10.2025, which is now fixed for confirmation or otherwise.

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

3. I have heard learned counsel for the applicants as well as learned APG and perused the record.

4. As per the prosecution story, two rival groups were allegedly firing upon each other. According to the prosecution, when the police intervened, the firing stopped and the parties fled from the scene. Subsequently, it was found that two passersby had sustained injuries in the firing incident. However, it is yet to be determined during trial as to whose firearm caused the said injuries. Furthermore, the incident is stated to have taken place at the

day time and the place of incident is a populated area; however, no private witnesses or mashirs have been cited by the prosecution, which creates doubt in the prosecution case. Besides, the allegations against the applicants are general in nature, and no specific overt act or distinct role has been attributed to any particular applicant. Furthermore, in the connected case bearing Crime No. 359/2025, registered at the same police station, the present applicants along with co-accused have already been granted bail by this Court. In the above circumstances, the matter requires further inquiry within the meaning of Section 497(2), Cr.P.C. Moreover, after grant of interim pre-arrest bail, the applicants have been regularly attending the trial Court, and nothing has been brought on record to show misuse of the concession of bail. In these circumstances, the applicants have made out a case for confirmation of bail already granted to them on 21.10.2025 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.

Criminal bail application stands disposed of.

JUDGE

