

**IN THE HIGH COURT OF SINDH KARACHI**  
**Cr. Bail Application No.3028 of 2025**

Applicants : i. Arshad Ali s/o Allah Bachayo  
ii. Abdul Majeed s/o Muhammad Ibrahim  
iii. Ayaz Ali s/o Allah Bachayo  
iv. Ghulam Hyder Jat s/o Muhammad Hassan

**Cr. Bail Application No.2892 of 2025**

i. Abdul Latif s/o Muhammad Ibrahim  
ii. Hanif actual name Muhammad Hanif s/o Hussain actual name Muhammad Hussain  
iii. Rashid Ali s/o Allah Bachayo  
iv. Allah Bachayo s/o Waheed  
v. Fayaz s/o Allah Bachayo  
Through Mr. Shabbir Ahmed Kumbhar, Advocate, in both the bail applications

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

Date of hearing : 05.05.2026  
Date of order : 05.05.2026

**ORDER**

**MIRAN MUHAMMAD SHAH, J:-** This common order shall dispose of both the criminal bail applications filed by the above-named applicants seeking pre-arrest bail, arising out of same crime bearing Crime No. 359 of 2025, registered at Police Station Sujawal, under Sections 324, 353, 147, 148, 149, 427 and 337-H(ii), PPC, therefore, for the sake of convenience, consistency, and to avoid conflicting findings, both the bail applications are being decided through this single consolidated order. Earlier bail applications filed by the applicants seeking the same relief was dismissed by the learned Additional Sessions Judge-I, Sujawal, vide order dated 16.10.2025.

2. Learned counsel for the applicants, at the very outset, stated that he does not press the bail application on behalf of applicant Abdul Latif in Cr. Bail Application No. 2892 of 2025, on the ground that the said applicant

has been killed in an encounter and FIR No. 214 of 2025 has been lodged in that regard. Accordingly, the bail application to the extent of applicant Abdul Latif is dismissed as not pressed.

3. The allegations against the applicants are that they belong to the Jat community and there exists a murderous dispute between two groups of the said community, regarding which several criminal cases are already pending. It is alleged that on 06.10.2025 both groups were resorting to firing upon each other and, when the police arrived at the place of incident, the applicants also allegedly made firing upon the police party, hence the present FIR was lodged.

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

5. Admittedly both groups of the Jat community were firing upon each other and, according to the prosecution, when the police intervened the applicants also fired at the police party. However, admittedly no person from either side sustained any injury, nor was any bullet hit the police vehicle or any surrounding object at the place of incident. This circumstance makes the prosecution story doubtful. Prima facie, the ingredients of Section 324, PPC appear to be lacking, as the case relates to ineffective firing. The applicability of the said provision shall, however, be determined by the trial Court after recording evidence. The remaining offences fall outside the prohibitory clause of Section 497, Cr.P.C. Besides, the allegations against the applicants are general in nature and no specific role has been assigned to any particular applicant. Furthermore, co-accused Ghulam Qadir and Muzaffar Ali have already been granted post-arrest bail by the learned trial Court, and the case of the present applicants stands on the same footing. In the above circumstances, the matter calls for further inquiry within the meaning of

Section 497(2), Cr.P.C. Moreover, after grant of interim pre-arrest bail, the applicants are regularly attending the trial Court and nothing has been brought on record to show that they have misused the concession of bail.

6. Accordingly, both the bail applications are allowed and the interim pre-arrest bail granted to the applicants vide orders dated 04.11.2025 and 21.10.2025 is hereby confirmed on the same terms and conditions.

7. Let Cr. B.A.No.2893/2025 tagged with these bail applications arising out of other crime bearing Crime No.354/2025, registered u/s 324, 440, 147, 148 and 149 PPC, is detagged which would be heard and decided on merit. Same is adjourned to **12.05.2026**.

8. Needless to mention here that the observations made herein above are tentative in nature and would not influence the trial court while deciding the case of the applicant on merits.

Office is directed to place assigned copy of this order in the captioned connected matter.

**JUDGE**

