

HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Cr. Bail Application No.S-533 of 2026.

[Amjad Ali Vs. The State]

Applicant : Amjad Ali through Mr. Ghulam Rasool Samoon, Advocate.

Respondent : The State through Mr. Altaf Hussain Khokhar, Deputy Prosecutor General, Sindh.

Complainant : NEMO.

Date of Hearing : 25.05.2026.

Date of Decision : 25.05.2026.

ORDER

Syed Fiaz ul Hassan Shah, J :- The Applicant above-named seeks post-arrest Bail in F.I.R No.53/2026, registered at Police Station Matli District Badin for offence punishable under Section 324, 506/2, 114, 337A(ii), 337F(i), 427, 504, 147, 148, 149-PPC. Previously, he applied for the same relief before learned Additional Sessions Judge, Matli but the request was declined vide order dated 18.03.2026.

2. The applicant/accused is booked in crime No.53 of 2026 of PS Matli, District Badin on the allegation that complainant Munawar Hussain lodged FIR that he is a broker and Gul Muhammad and Nehal Parabi are not in good terms and after altercated on 26.02.2026 at 07:00 p.m. Urs, Shakeel, Ali Asmat alias Upat, Gul Muhammad, Amjad and Nihal attacked, abused and instructed to withdraw the case and threatened for dire consequences.

3. Learned counsel for the applicant/accused states that applicant is innocent and the role attributed to the applicant is that he caused injury with *lathi* to the victim Nisar Ahmed, while two other accused Nehal, Asmat and Gul Muhammad caused injury have already been granted bail by the Trial Court; that all the accused have been granted bail by the Trial Court; therefore, on the rule of consistency the applicant/accused is also entitled for the bail, which has been declined by the Trial Court.

4. On the other hand, learned Deputy Prosecutor General states that due to hit of the present applicant/accused the victim Nisar Ahmed suffered severe injury on his hand attracting Section 337F(vi) PPC and prayed for dismissal of the bail plea of applicant/accused.

5. Heard learned counsel for parties and perused the record with their assistance.

6. It appears that although injury caused to the victim Nisar Ahmed has been attributed to the present applicant/accused that he hit the *lathi* which caused injury in his head but the contention of learned counsel for the applicant/accused carries weight that he has already challenged such medical report before a medical board, which has yet to be determined to the nature and seriousness of the injury effectively. It is also fact that all accused for the same offence with common intention of attacking upon the complainant party have already been granted post arrest bail by the Trial Court, while those accused were holding more dangerous such as iron rod, knife and big knife, while applicant/accused was carrying *lathi*, therefore, in view of principle of parity, the concession of post arrest bail can be extended. The alleged offence does not fall within prohibitory clause of Section 497 Cr.P.C. and the maximum punishable is up to seven years and ordinarily in such like cases grant of bail is a rule and refusal is an exception. The investigation has already been completed; therefore, the Applicant is no more required for investigation and no fruitful would be achieved by keeping incarceration the Applicant for indefinite period.

7. In view of above, the present applicant/accused is admitted to bail subject to his furnishing solvent surety in the sum of Rs.50,000/- (Rupees Fifty Thousand only) and P.R Bond in the like amount to the satisfaction of Additional Registrar of this Court.

8. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the trial Court while deciding the case of the applicant/accused on merits.

JUDGE