

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR**Crl. Bail Application No. S- 766 of 2026**

Applicant: Khan Muhammad son of Ali Muhammad bycaste Ansari, resident of Shaikh Mohalla near Mehran School Pano Akil, District Sukkur, **through** Miss Tahira Soomro advocate.

The Complainant: Rasool Bux son of Wahid Bux bycaste Ansari **through** Mr. Javed Ahmed Mahar, advocate.

The State **Through** Mr. Mansoor Ahmed Shaikh, Deputy Prosecutor General, Sindh.

Date of hearing & Orders: 29-09-2026.

ORDER.

Suresh Kumar, J.--- Through the instant bail application, the applicant named above seeks confirmation of the ad-interim pre-arrest bail already granted to him by this Court vide order dated 12-08-2026, in a case bearing crime No. 165/2026, offence u/s 334, 337A(i), 147, 148, 504, 34 PPC registered at Police Station Pano Akil, District Sukkur.

2. The facts of the prosecution case, as depicted in the FIR, are that the complainant, Rasool Bux Ansari, lodged the FIR on 14-07-2026, alleging that on 12-07-2026, the applicant/accused, Khan Muhammad, along with co-accused, in furtherance of their common intention, came into the street where the applicant/accused caused an iron blow to Akbar Ali, the cousin of the complainant, which struck him on the right side of his head. Meanwhile, co-accused Hafeezullah inflicted a lathi blow to Akbar Ali's mouth, and other accused also delivered lathi blows to him due to a dispute over the street. Consequently, the complainant appeared at the police station and lodged the FIR.

3. The applicant initially sought pre-arrest bail from the Court of the learned Additional Sessions Judge Pano Akil, which was dismissed vide order dated 07-08-2026. Being aggrieved by this dismissal, the applicant has approached this Court.

4. I have heard the learned counsel appearing on behalf of the applicant/accused as well as learned DPG for the State assisted by learned counsel for the complainant.

5. Having given due consideration to the arguments advanced by learned counsel appearing on behalf of the respective parties, I have perused the relevant record. From the perusal of the record, it reveals that the injury attributed to the applicant on the right side of the head of the injured Akbar has been declared as Shajjah-i-Khafifah and falls within the ambit of Section 337A(i) PPC, which is a bailable section. It is well-settled law that bail in bailable offences is a matter of right. Learned counsel for the applicant has also produced a certified copy of the order dated 07-09-2026, passed by the learned Additional Sessions Judge Pano Akil, on the bail application of co-accused Abdul Hafeez @ Hazfeezullah, who caused a serious injury of Itlaf-i-Teeth to the injured, and has been granted post-arrest bail. The dispute over the street is admitted by the complainant in the FIR; hence, malafide on the part of the complainant cannot be ruled out. After the grant of interim pre-arrest bail, the applicant has been appearing before this Court as well as the trial Court, and he has not misused the concession of pre-arrest bail.

6. For the foregoing reasons, I am of considered view that the applicant/accused has successfully made out a case for the grant of pre-arrest bail, therefore, the interim pre arrest bail already granted to him on 12-08-2026, is hereby confirmed on same terms and conditions with direction to appear before trial Court.

7. Needless to say that the above observations are tentative in nature and will not prejudice the case of either party at the time of trial.

J U D G E