

THE HIGH COURT OF SINDH, CIRCUIT HYDERABAD

Crl. Bail Application No. S-1159 of 2026

Applicants: 1) Faiz Muhammad @ Faiz Mehmood s/o Ghulam Muhammad
2) Zahid Iqbal s/o Ghulam Muhammad
3) Muhammad Naeem s/o Siddique Ali Arain
Through Mr.Hadi Bux Khaskheli, Advocate

The State: Through Mr.Shahid Ahmed Shaikh, D.P.G

Date of Hearing: **21-09-2026**

Date of Order: **21-09-2026**

ORDER

ABDUL MOBEEN LAKHO-J, Through this Bail Application, applicants Faiz Muhammad alias Faiz Mehmood, Zahid Iqbal and Muhammad Naeem seek confirmation of interim pre-arrest bail in Crime No.04 of 2026, registered at Police Station Bachalpur, District Shaheed Benazirabad, for offences under Sections 324, 447, 337-A(i), 511, 337-H(ii), 504, 506(2), 147, 148 and 149 PPC. Their earlier pre-arrest bail application was dismissed by the learned Additional Sessions Judge-II, Shaheed Benazirabad, vide order dated 14.07.2026.

2. Briefly, the prosecution case is that on account of a land dispute, the accused persons allegedly came to the agricultural land of the complainant party. It is alleged that co-accused Shahid Iqbal and Muhammad Azeem made pistol shots upon the complainant party which did not hit anyone, while applicant Zahid Iqbal allegedly caused an iron rod blow to injured Asad Ali, applicant Muhammad Naeem allegedly caused the backside blow of a hatchet to injured Nazeer Ahmed, whereas applicant Faiz Muhammad has been attributed the role of being armed with a lathi only.

3. Learned counsel for the applicants contended that the occurrence is the outcome of a longstanding land dispute between the parties. He argued that no injury has been attributed to applicant Faiz Muhammad; that the role assigned to applicant Muhammad Naeem attracts Section 337-F(i) PPC, which is bailable in nature and that the applicants have joined the investigation and complied with the conditions of interim bail.

4. The notice issued to the complainant is received duly served, but the complainant did not appear before this Court to contest or pursue the matter.

5. Learned D.P.G. opposed the application and contended that the applicants are specifically nominated in the FIR and have been attributed active roles in the occurrence. He further submitted that the allegations are supported by medical evidence collected during investigation, therefore, the applicants are not entitled to the extraordinary relief of pre-arrest bail.

6. I have heard learned counsel for the parties and perused the material available on record.

7. Tentative assessment of the record reflects that admittedly the occurrence arose out of an agricultural land dispute between the parties. The allegation of making straight fires attracting Section 324 PPC has specifically been attributed to co-accused Shahid Iqbal and Muhammad Azeem and not to the present applicants. As regards applicant Faiz Muhammad, no specific injury has been attributed to him. So far as applicant Muhammad Naeem is concerned, the injury assigned to him is on the hand of injured Nazeer Ahmed, whereas applicant Zahid Iqbal is alleged to have caused an iron rod blow. The

exact nature, extent and legal effect of such allegations would be determined by the learned trial Court after recording evidence.

8. It further appears that the challan has already been submitted before the concerned Court. No allegation has been made that they misused the concession of bail, attempted to abscond or interfered with the course of investigation. The Honourable Supreme Court of Pakistan in **Tariq Bashir and others v. The State (PLD 1995 SC 34)** held that where an offence does not fall within the prohibitory clause of Section 497, Cr.P.C, grant of bail is a rule and refusal is an exception.

9. Keeping in view the nature of allegations, the background of the land dispute, I am of the tentative view that the applicants have made out a case for confirmation of interim pre-arrest bail.

10. Consequently, instant Bail Application is **allowed** and the interim pre-arrest bail earlier granted to applicants Faiz Muhammad alias Faiz Mehmood, Zahid Iqbal and Muhammad Naeem vide order dated 31.08.2026, is hereby confirmed on the same terms.

11. The observations made hereinabove are tentative in nature and shall not influence the learned trial Court while deciding the case on merits.

JUDGE