

THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Bail Application No.S-318 of 2026

Applicant: Mureed through Mr. Mashooque Ali Bhurgari, Advocate.

Respondent: The State through Mr. Shawak Rathore, Deputy Prosecutor General, Sindh.

Complainant: Muhammad Sulleman through Mian Taj Muhammad Keerio, Advocate.

Date of hearing: 19.10.2026.

Date of order: 19.10.2026.

ORDER

MUHAMMAD HUMAYON KHAN, J. — The applicant seeks post-arrest bail in Crime No.53/2023, registered at Police Station Dehi, District Badin, for offences under Sections 302, 324, 114, 147, 148 and 149, P.P.C., read with Sections 6/7 of the Anti-Terrorism Act, 1997. His earlier bail application was dismissed by the learned 2nd Additional Sessions Judge, Badin, on 07.02.2026.

2. Learned counsel for the applicant contends that he has been falsely implicated due to an existing dispute; the FIR was lodged with delay; the medical certificate concerning Talib Panhwar was suspended; co-accused have been granted bail; and the applicant has remained in custody for more than two years while the trial has made little progress. The learned Deputy Prosecutor General and counsel for the complainant oppose the application, relying on the applicant's specific role and the nature of the occurrence.

3. I have heard learned counsel for the applicant, learned D.P.G. Sindh and learned counsel for the complainant and examined the available record. At this tentative stage, the applicant is attributed a specific act of firing that allegedly caused an injury to the neck. His role is therefore not confined to mere presence. The fact that the fatal shot is attributed to a co-accused does not, by itself, exclude the applicant's alleged participation or the common object attributed to the accused party. The pleas of prior enmity, delay in the FIR and the medical record raise matters to be assessed at trial; on the material presently available, they do not displace the specific allegation. The grant of bail to co-accused

also does not establish parity without comparable roles and circumstances.

4. The plea of prolonged custody and delay in the trial has been considered. In the circumstances of this case, it does not outweigh the material *prima facie* connecting the applicant with the occurrence so as to bring his case within the scope of further inquiry under Section 497 (2), Cr.P.C. The prosecution evidence and the applicant's defence shall be assessed by the trial Court independently, without being influenced by these tentative observations.

5. For these reasons, no sufficient ground for the grant of post-arrest bail is made out. The Criminal Bail Application is **dismissed**. The trial Court shall proceed with the trial expeditiously, in accordance with law.

JUDGE

Abdullah Channa/PS