ORDER SHEET

IN THE HIGH COURT OF SINDH CIRCUIT COURT HYDERABAD

Criminal Bail Application No.S-511 of 2026
Criminal Bail Application No.S-583 of 2026

Applicants:	Ghulam Mustafa, Saqib Ali alias Sonu and Ramzan alias Guddo through Mr. Mashooque Ali Mahar, Advocate.
Complainant:	Through Peer Ghulam Muhammad Siddiqui, Advocate.
The State:	Through Mr. Irfan Ali Talpur, D.P.G.
Date of hearing:	26.10.2026.
Date of order:	30.10.2026.

O R D E R

OMAR SIAL, J. The applicants, Ghulam Mustafa, Saqib Ali and Ramzan, seek pre-arrest bail in FIR No. 13/2026 (under Sections 322, 324, 147, 148, 149, and 114 PPC) registered at Police Station Makhdoom Bilawal, District Dadu.

2. The complainant, Dildar Ali, recorded that the accused, Ghulam Sarwar and others, had an altercation over a fence with his uncles, Sheral and others, which deeply annoyed the accused party. On 16.03.2026, at about 9:15 a.m., the complainant, his paternal uncle, Khairuddin, and his maternal uncle, Ali Bahar, were standing outside their house. The accused Saqib, alias Sono, approached them, drew a pistol from his waistband, and fired at Khairuddin with the intent to murder him. The bullet grazed the left side of Khairuddin's temple, leaving a mole-sized scratch, after which the accused fled. Relatives immediately shifted Khairuddin for treatment.

3- Later that morning, at around 10:15 a.m., the complainant, along with his uncles Sheral, Noor Muhammad (aged 45/46 years), and Ali Bahar, were heading to lodge a complaint against Saqib. Near the village primary school common road, they encountered the following accused individuals: Ghulam Sarwar (armed with a double-barrel breech-loading gun – DBBL); Ghulam Mustafa (armed with a DBBL); Saqib, alias Sono (armed with a pistol); Ramzan, alias Guddo (armed with a bludgeon), Ali Asghar (armed with a pistol); and Ashique (armed with a DBBL). Two others remain unidentified.

4- The accused rushed toward them shouting. Upon arriving, Ghulam Sarwar instigated the others to kill the complainant's party. Driven by this instigation, Ramzan struck Sheral with a bludgeon, and Ali Asghar hit him on the head with a pistol butt, causing Sheral to collapse screaming. When Noor Muhammad stepped in to intervene, Ghulam Mustafa and Ashique forcefully pushed him to the ground and aimed their weapons at him, causing Noor Muhammad to lose consciousness. The accused then fled southward.

5- The complainant sent his injured uncle, Sheral, with Ali Bahar to obtain a medical treatment letter. He then arranged transport to take the unconscious Noor Muhammad to Civil Hospital Dadu, but Noor Muhammad passed away en route.

6- I have heard the applicants' learned counsel as well as the learned counsel for the complainant and the learned Additional Prosecutor General. My observations and findings are as follows.

7- The allegation against applicant Ghulam Mustafa is that he was part of the armed assembly that intercepted the complainant's family near the village primary school. When the now-deceased uncle, Noor Muhammad, stepped forward to intervene and disperse the fight, Ghulam Mustafa, along with co-accused Ashique, forcefully pushed Noor Muhammad to the ground. After pushing Noor Muhammad down, Ghulam Mustafa and Ashique aimed their weapons at him. Primarily, Ghulam Mustafa is accused of

8- The allegation against applicant Saqib Ali is of firing directly at the complainant's uncle, Khairuddin, with the intent to murder him. The bullet grazed Khairuddin's left temple. In the subsequent attack, Saqib was also present.

9- The allegation against Ramzan is that he was part of the group of people that intercepted the victims near the village primary school. Following the verbal instigation by Ghulam Sarwar to commit murder, Ramzan struck uncle Sheral on the head with his bludgeon.

10- The sections invoked are all bailable except sections 322 and 324 P.P.C. The punishment for a section 322 P.P.C. offence is the payment of diyat, whereas the punishment for a section 324 P.P.C. offence falls within the non-prohibitory clause of section 497 Cr.P.C. The medical report shows that the injury inflicted by Saqib Ali on Khairuddin falls within the ambit of section 337-A(i) P.P.C. A bailable offence. Similarly, the minor injuries to Sheral are attributed to Ramzan and fall within the ambit of sections 337-A(i), 337-F(i), and 337-H(ii), all of which are bailable.

11- The cause of Noor Mohammad's death will have to be ascertained at the trial because the medical report reflects that no marks of violence were found on his body. The final medical report opines that Noor Mohammad died a natural death. Malafide, however, cannot conclusively be ruled out at this preliminary stage.

12- Given the above, the case against the applicants warrants further inquiry. Applicant/accused Ramzan alias Guddo is admitted to post-arrest bail, subject to furnishing solvent sureties of Rs.100,000, together with PR Bond, to the satisfaction of the learned trial Court and the interim pre-arrest bail already granted to applicants/accused Ghulam Mustafa and Saqib Ali is hereby confirmed on same terms and conditions.

J U D G E

Ahmed/Pa,