THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA

Criminal Bail Application No. S-440 of 2026
[Manzoor Ali Chandio Vs. The State]
along with
Criminal Bail Application No. S-441 of 2026
[Sardar Ahmed Chandio Vs. The State]

Applicants	**:**	Through Mr. Himat Ali Gadehi, Advocate
The State	**:**	Through Mr. Nazir Ahmed Bangwar, Deputy Prosecutor General, Sindh
Complainant	**:**	Through Mr. Atta Hussain Chandio, Advocate
Date of Hearing	**:**	**02-11-2026**
Date of Decision	**:**	**02-11-2026**

O R D E R

ARBAB ALI HAKRO, J- By this common order, I dispose of Criminal Bail Application No. S-440 of 2026, in which Manzoor Ali Chandio seeks post-arrest bail, and Criminal Bail Application No. S-441 of 2026, in which Sardar Ahmed Chandio, Muhammad Bachal, Ghulam Mustafa and Sadar Chandio seek confirmation of the ad-interim pre-arrest bail granted to them by this Court on 07.09.2026. Both arise from Crime No. 09 of 2026 of Police Station Mian Nasir Muhammad, District Dadu, registered under sections 324, 427, 114, 148, 149, 504 and 337-H(ii) PPC. The applicants had earlier approached the learned 2nd Additional Sessions Judge, Mehar, who declined to grant them bail by orders dated 04.08.2026.

2. The FIR was lodged on 22.07.2026 by Muhammad Khan Chandio. His case is that on 20.07.2026, at about 1500 hours, he and his brothers, Kamran, Ahmed Khan and Saddam Hussain, were at their flour mill in village Raji jo Khooh, Taluka K.N. Shah, when Deedar Ali, armed with a Kalashnikov; Abdul Khaliq alias Khaloo; Sardar Ahmed; Manzoor Ali, armed with pistols; Ghulam Mustafa, armed with a gun; and Sadar and Muhammad

Bachal, armed with rifles, arrived, abused his brothers over a dispute about the demarcation of land, and that, on the instigation of Ghulam Mustafa, Deedar Ali fired from his Kalashnikov, hitting Kamran in the face, and Abdul Khaliq fired from his pistol, hitting Ahmed Khan in the right thigh. As villagers gathered, the accused fired into the air and fled. The delay in reporting is explained by the injured being taken first to the police station and then to the trauma center at Larkana. The applicants' side has lodged its own version of the occurrence as Crime No. 07 of 2026 of the same police station.

3. Learned counsel for the applicants submits that the parties are at enmity over land; that the complainant has named the applicants' whole family; that no injury is attributed to Manzoor Ali, Sardar Ahmed, Muhammad Bachal or Sadar, whose roles are confined to being armed and firing into the air; that Ghulam Mustafa is implicated only by an allegation of instigation; that no independent witness is cited, though the occurrence took place in daylight at a flour mill; that the FIR was lodged two days late; that the applicants' party has its own FIR against the complainant's side; and that the investigation is complete.

4. Learned counsel for the complainant and learned D.P.G. oppose both applications, contending that the injured were hit by firearms, one on the face, and that the applicants came together armed. They further contend that the offence under section 324 PPC falls within the prohibitory clause and that no mala fide has been shown to justify the extraordinary relief of pre-arrest bail.

5. Heard and perused the record.

6. The two firearm injuries are attributed to Deedar Ali and Abdul Khaliq, who are not before me. Of the applicants, Manzoor Ali, Sardar Ahmed, Muhammad Bachal and Sadar are assigned no injury; the FIR has them armed and, with the rest, firing in the air after the villagers had gathered. Their liability for the offence under Section 324 PPC, if any, must therefore rest on Section 149 or Section 34 PPC and on a shared intention to kill, which is a matter for the trial court to determine after recording evidence

and, at this stage, is a ground for further inquiry.[1] That the parties admittedly dispute the demarcation of land, that the applicants' family has been nominated as a whole and that a counter-version of the same occurrence stands registered at the instance of the applicants' side, so that which of the two sides was the aggressor is itself yet to be settled; all point the same way.[2] Manzoor Ali is in custody, the investigation is complete, and he is not required for it; the delay in lodging the FIR is explained and decides nothing either way. His case falls within section 497(2) Cr.P.C.

7. Sardar Ahmed, Muhammad Bachal and Sadar stand on the same footing as Manzoor Ali on the merits. The grant of bail before arrest is an extraordinary relief, but where the material shows no reasonable ground for believing the accused guilty of the charged offence, and the implication of an entire family in a case arising from an admitted land dispute, with a counter-version on record, indicates an ulterior motive, the Court may look to the merits and confirm the ad-interim bail rather than send the accused to custody only to release them on the very reasoning that applies to their co-accused.[3] Their ad-interim bail is therefore **confirmed**.

8. Ghulam Mustafa is in a different position. The FIR attributes to him instigation, on which Deedar Ali and Abdul Khaliq fired, resulting in two firearm injuries, one to the face. Instigation of that kind, if proved, attracts section 114 PPC and the substantive offence. Apart from the land dispute, which is the alleged motive and not a circumstance showing mala fide in his intended arrest, nothing has been shown to bring his case within the narrow compass of pre-arrest bail.[4] The ad-interim bail granted to him on 07.09.2026 cannot be confirmed.

9. These are the reasons for the short order of order dated 02.11.2026, by which Criminal Bail Application No. S-440 of 2026 was allowed, and the applicant Manzoor Ali was admitted to post-arrest bail subject to his furnishing solvent surety in the sum of Rs.50,000/- (Rupees fifty thousand) and a P.R. bond in the like amount to the satisfaction of the trial court; in

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[1] *Shoaib Mehmood Butt v. Iftikhar-ul-Haq* 1996 SCMR 1845; *Muhammad Ramzan v. Zafarullah* 1986 SCMR 1380.
[2] *Zaigham Ashraf v. The State* 2016 SCMR 18.
[3] *Javed Iqbal v. The State* 2022 SCMR 1424; *Muhammad Ijaz v. The State* 2022 SCMR 1271.
[4] *Rana Abdul Khaliq v. The State* 2019 SCMR 1129; *Rana Muhammad Arshad v. Muhammad Rafique* PLD 2009 SC 427.

Criminal Bail Application No. S-441 of 2026, the ad-interim pre-arrest bail of the applicants Sardar Ahmed, Muhammad Bachal and Sadar was confirmed on the same terms, and the ad-interim bail of the applicant Ghulam Mustafa was recalled.

10. The observations made above are tentative and shall not influence the trial court in deciding the case on its merits. If any applicant admitted to bail misuses the concession, the prosecution will be at liberty to seek its cancellation in accordance with law.

JUDGE

Zulfiqar