

Applicants:

1. Abdul Lateef son of Dhani Bux,
2. Rashid Ali son of Ghulam Akber alias Gulab bycaste Halepoto **through** Mr. Rukhsar Ahmed Junejo, Advocate.

The State

Through Mr. Shafi Muhammad Mahar,
Deputy Prosecutor General, Sindh.

Date of hearing & Order: 09-09-2026.

ORDER.

Suresh Kumar, J ---Applicants named above seek confirmation of the ad-interim pre-arrest bail granted to them by this Court vide order dated 25.02.2026, in a case bearing crime No.17/2026, offence u/s 324, 337-A(i), 337-F(i), 114, 34 PPC registered at Police Station Mirwah, District Khairpur.

2. The brief facts of the case as depicted in the FIR are that his brother Abdul Hakeem lodged FIR against Aslam Halepoto which annoyed them. On 20.01.2026 he along with his brother Pervez, nephew Zamir and cousin Liaquat were going to Wali ball when reached near Primary School village Tufal Jatta, at 4.00 p.m present accused along with co-accused came there accused Rashid said today we not leave you, saying so accused Kashif made fire of pistol which hit his brother Pervez, while accused Rashid caused iron rod to his nephew Zamir which hit him on eye brow of right eye, then they raised cries, then accused fled away. Then complainant arranged transport and took injured, obtained letter from PS Pir Wassan, after treatment of injured, doctor referred injured to Civil Hospital Khairpur and then complainant lodged FIR.

3. The applicants initially sought pre-arrest bail from the Court of the learned Additional Sessions Judge Mirwah, which was dismissed vide order dated 24.02.2026. Aggrieved by this dismissal, the applicants have approached this Court.

4. I have heard the learned counsel appearing on behalf of the applicant/accused and the learned Deputy Prosecutor General for the State.

5. Having given due consideration to the arguments advanced by the counsel for the parties and perused the material available on record. From the perusal of FIR applicant Abdul Lateef assigned role of instigation while Rashid allegedly caused iron rod blow to PW Zameer which hit on the side of eye and left shoulder. Record further reveals that injuries allegedly caused by Rashid were declared as Shujjah khaififah and other hurts which fall within ambit of sections 337-A(i), 337-L(ii) and both sections are bailable. FIR reveals that section 324 PPC has also been applied which will be determined at the time of trial after recording of evidence previous enmity is admitted in the FIR, therefore, mala fide intention on the part of complainant cannot be ruled out. After grant of interim pre-arrest bail, applicants are appearing before this Court as well as trial Court and they have not mis-used the concession of interim pre-arrest bail.

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

J U D G E

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