

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

Cr. Bail Application No.S-547 of 2021

Cr. Bail Application No.S-719 of 2021

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
-------------	---

05.11.2021

Syed Shafique Ahmed Shah, Advocate for applicants alongwith applicant Jumo.

Ms. Sobia Bhatti, Assistant P.G.

None present for complainant.

ORDER

MUHAMMAD IQBAL KALHORO, - On account of raising a wall around house of complainant party, the accused, nine in number, duly armed with hatchets and sticks / clubs assaulted complainant party. Co-accused Muzaffar caused injury to Lakha Dino, whereas co-accused Mashooque caused injury to his namesake Mashooque. Applicant Jumo, seeking pre-arrest bail, and applicants Sawan, Haji and Khuda Bux, seeking post arrest bail, are stated to have caused injuries to PW Khan Muhammad. As per medical report he has sustained four injuries, all areailable except one, opined to fall u/s. 337-A(ii) PPC and is punishable upto five years.

2. Learned Counsel submits that it is not specific as to who out of accused caused said injury to him. The parties are already at odds on account of previous enmity. Applicants' application u/s. 22-A&B Cr.P.C for the same purpose was filed against complainant party and on account of general allegations against them the case requires further inquiry.

3. Learned Assistant Prosecutor General has opposed bail to the applicants but cannot deny that applicants have been leveled general allegations of causing injuries to Khan Muhammad, who has sustained minor injuries except one but who caused it is yet to be determined. In view of such position, the case against the applicants requires further inquiry and they are entitled to the relief of bail. Accordingly, ad-interim pre-arrest bail already granted to applicant Jumo in Criminal Bail Application No.547 of 2021 is hereby confirmed on same terms and conditions. Whereas, applicants Sawan, Haji and

Khuda Bux are admitted to post arrest bail subject to their furnishing solvent surety in the sum of Rs.100,000/- (Rupees One Lac) each and P.R Bonds in the like amount to the satisfaction of learned trial Court.

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

JUDGE

Shahid