

**HIGH COURT OF SINDH, CIRCUIT COURT  
AT HYDERABAD**

**Cr. Bail Application No.S-500 of 2023**  
[Hakim versus The State]

Applicant : Through Mr. Badaruddin Khoso advocate  
Complainant: In person  
State : Through Ms. Sana Memon Assistant P.G  
a/w IO ASI Abdul Majeed  
Date of hearing: 29.11.2023  
Date of decision: 29.11.2023

\*\*\*

**ORDER**

**MUHAMMAD KARIM KHAN AGHA J.-** Applicant Hakim has been booked in Crime No.10 of 2023 registered at P.S Pat Gul Muhammad under Sections 324, 337-H(ii), 147, 148, 149, 506 and 504 PPC, which is proceeding before learned IV<sup>th</sup> Additional Sessions Judge Dadu (trial Court). He had applied for pre-arrest bail before the learned trial Court, however, it was declined vide Order dated 10.04.2023 hence he has approached this Court for post-arrest bail.

2. Brief facts of the case, as per FIR lodged by complainant Zulfiqar Ali Leghari on 22.02.2023, are that there was a land dispute between the complainant and accused party. On 20.02.2023 the applicant alongwith co-accused came at the disputed land. The applicant had a K.K gun and other co-accused had also various deadly weapons. The applicant fired K.K shot and co-accused also fired gun shots, which hit PW Ghulam Murtaza on right arm and right side of his abdomen and he fell down; then applicant and co-accused made their escape good while making aerial firing.

3. I have heard the learned counsel for the applicant, complainant as well as learned Assistant Prosecutor General.

4. Although there is delay of two days in lodgment of FIR, however, same has been explained. Admittedly there is enmity between the parties, however, this is a double edged weapon. I also noted that in the FIR

applicant has been given a specific role of firing at Ghulam Murtaza, who became injured. The complainant's version in the FIR is supported by the 161 Cr.P.C statements of PWs Mour and Ghulam Murtaza, who is injured in this case. The injuries received by Ghulam Murtaza have also been supported by the medical evidence. It is further noted that K.K gun has been recovered on the pointation of the applicant, which when matched with the recovered empties, the report came in positive. Further the offence with which the applicant has been charged is non-bailable.

4. For the reasons discussion above, I find that there is sufficient material against the applicant to connect him with the commission of offence. Accordingly, this application for post-arrest bail is dismissed. However, learned trial Court is directed to complete the trial in accordance with law within a period of four months from the date of this Order. A copy of this Order shall be sent to learned trial Court for compliance.

5. Needless to mention here that observations made hereinabove are tentative in nature and the same will not prejudice the case of either party at trial.

6. Captioned bail application stands disposed of accordingly.

JUDGE

Sajjad Ali Jessar