

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Cr. Bail Appln. No. S – 520 of 2023

DATE

ORDER WITH SIGNATURE OF JUDGE

Hearing of bail application

1. For orders on office objection at Flag 'A'
2. For hearing of bail application

04.09.2023

M/s Muhammad Tarique Panhwar and Rustam Ali Lakhan,
Advocates along with Applicants
Mr. Anwer Ali Lohar, Advocate along with Complainant
Mr. Aftab Ahmed Shar, Additional Prosecutor General for State

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ORDER
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MUHAMMAD IQBAL KALHORO, J.- As per FIR, when complainant was present on lands of one Ghulam Ali along with his father, applicants along with two unknown accused armed with deadly firearm weapons came over there and warned the complainant as to why they had watered the lands and then applicants Taj Muhammad, Zainul Abdin, Zulfiqar Ali, Rafique Ahmed and Imtiaz Ali fired from their respective Guns hitting multiple parts of complainant's father. Surprisingly, the complainant has meticulously noted every fire shot against a particular injury on the body part of his father, which *prima facie* does not appeal to the common sense.

2. The daily diary which was recorded by the police on the very day of the incident on information provided by injured shows that he had disclosed to have received only one fire made by a Gun which issues pellets. He has therefore, understandably received pellet injuries on different parts of the body, which complainant *prima facie* has tried to take advantage of by throwing a wider net by implicating every one against whom he had any ill will in FIR.

3. Citing these grounds, learned counsel in defence has pleaded for confirmation of bail; opposed by learned counsel for the complainant.

However, learned DPG for the State has not opposed grant of bail to applicants and submits that in fact the accused party was seriously injured and this case is counter-blast of that case and was registered after delay of 24 days.

4. In view of such facts and circumstances as enumerated above, this bail application is allowed, the interim pre-arrest bail already granted to the applicants by this Court vide order dated 02.08.2023 is hereby confirmed on same terms and conditions. The applicants are directed to attend the trial Court regularly.

Judge

ARBROHI