

**IN THE HIGH COURT OF SINDH,  
CIRCUIT COURT, HYDERABAD**

**Cr. Bail Application No. S-1123 of 2024**

Rajab Ali .....Applicant

Versus

The State.....Respondent

Noor Ahmed Soomro, Advocate, for the Applicant  
Safa Hisbani Assistant P.G a/w complainant

Date of Hearing : 28.10.2024.

**ORDER**

**YOUSUF ALI SAYEED, J** - Following the dismissal of his earlier bail application by the learned Sessions Judge, Badin the Applicant has approached this Court under section 498 Cr.P.C seeking pre-arrest bail in respect of FIR No. 209 of 2024, registered against him at 1600 hours on 26.04.2024 at Police Station Badin, under Sections 324, 337-A(i), 337-F(i), 504 and 34 PPC at the behest of one Muhammad Raheem Soomro.

2. Briefly stated, the Complainant alleged that he and his family members had been attacked at his residence on 20.04.2024 by the Applicant and several other persons said to be related to the Complainant and to have perpetrated the attack in the context of a pre-existing dispute as to construction of a bathroom on the Complainant's land. The assailants were said to have been armed with hatchets and lathies, and to have inflicted injuries upon the Complainants mother and son. The Applicant and one Ramzan Soomro are said to have caused injuries with the sharp side of their hatchets.

3. Pursuant to notice issued to him in the matter, the Complainant appeared and reposed faith in the learned APG while stating that he did not intend to engage private counsel. Accordingly learned counsel for the Applicant and the learned APG were heard and the record perused, with the following points coming to the fore:
  - (a) There is delay of six days in lodging the FIR for which no proper explanation has been advanced.
  - (b) The interim pre-arrest bail granted to several of the co-accused, including Ramzan, has been confirmed by the trial Court, with the element of mala fide not being distinguishable from their respective standpoints and the relevant Order having remained unchallenged by either the Complainant or the State.
  - (c) The investigation has apparently been completed with the matter set to come up before the trial Court for framing the charge against the accused.
  - (d) The alleged offences do not fall within the prohibitory clause of Section 497(1) Cr.P.C, with the matter appearing to be one requiring further inquiry.
  
4. It is in view of those factors that the Application was then allowed vide a short Order made in Court upon culmination of the hearing on 28.10.2024 with the interim pre-arrest bail granted in the matter being confirmed on the prevailing terms.

JUDGE