

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

Criminal Bail Application No.S-1099 of 2024

Applicant : Ahmed Ali through Mr. Muhammad Rahim Gaju,  
Advocate.

Respondent : The State through Mr. Irfan Ali Talpur A.P.G.  
Sindh.

Complainant : Abdul Razzaq through Mr. Badal Gahoti, Advocate.

Date of hearing : 13.12.2024.

Date of Order : 13.12.2024.

**ORDER.**

**Amjad Ali Sahito, J:-** Through instant bail application, the applicant/accused namely, Ahmed Ali seeks pre-arrest bail in Crime No.190/2024, registered at Police Station Hala New, District Matiari for the offence under sections 337-F (vi), 504, 506, 34 PPC. Earlier the bail plea of the applicant/accused was declined by the learned Additional Sessions Judge, Hala vide order dated 02.10.2024.

2. The details of the FIR are included in the bail application and its attached copy, so there is no need to restate them here.

3. Learned counsel for the applicant/accused contends that the applicant/accused is innocent and has falsely been implicated in this case with *mala fide* intention; that the FIR is delayed for about 24 days but plausible explanation has been furnished; that the allegations against the applicant/accused is that he has given lathi blow to the injured which hit on the toe of his foot, the applicant has falsely been implicated in this case as the injured is very old man and if any dislocation is made then it could be due to overage otherwise, no any injury is caused; there is dispute over land. Lastly, learned counsel has prayed for confirmation of interim pre-arrest bail to the applicant/accused.

4. On the other hand learned counsel for the complainant as well as learned A.P.G. Sindh vehemently opposed for grant of bail and state that medical certificate was challenged before the Medical Board and found it true and correct.

5. From the perusal of record, it appears that FIR is lodged after delay for about 24 days. No plausible explanation is furnished. There is an admitted dispute over the agricultural land, which is the cause of the present incident. The allegation against the applicant is that he allegedly given a

straight lathi blow to the injured on the toe of his foot. It is important to note that the injury caused appears to be not dangerous to life and it appears that the intention of the applicant was not of a grievous nature. Furthermore, there is no prior history of the applicant in respect violence or criminal activity. In light of these circumstances, the applicant deserves for bail. The applicant after grant of interim pre-arrest bail has never misused its concession nor is reported that he has tampered with evidence or influenced to the witnesses.

**6.** In view of the above facts and circumstances, learned counsel for the applicant/accused has succeeded to make out the case for further inquiry as envisaged in subsection 2 of section 497 Cr.P.C. Consequently, instant criminal bail application is **allowed** and the interim pre-arrest bail granted earlier vide order dated 04.10.2024 is hereby confirmed.

JUDGE

\*Abdullah Channa/PS\*