

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**

Cr. Bail Appl. No.2337 of 2024  
Cr. Bail Appl. No. 2538 of 2024  
Cr. Bail Appl. No. 2385 of 2024

Date	Order with signature of the Judge
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**21.11.2024**

Syed Suleman Badshah, advocate for applicants a/w applicants in Cr.  
Bail Appl. No.2337/2024.  
Ms. Rahat Ahsan, Addl. P.G

**ORDER**

**MUHAMMAD IQBAL KALHORO J:** By this order, pre arrest bail application and post arrest bail applications are disposed of having been filed in Crime No.46/2024 U/s 324, 147,148,149, 114, 506-B, 504 PPC of P.S. Garho District Thatta. Applicants in Cr. Bail Application No.2337/2024 are seeking pre arrest bail, who are present on ad-interim pre arrest bail, whereas in Cr. Bail Applications No.2538 and 2385/2024, applicants are seeking post arrest bail in the same crime.

2. As per FIR registered on 07.09.2024, complainant has a land dispute with accused party. On 05.09.2024 when complainant was available alongwith his witnesses in his house, accused armed with deadly weapons, hatchets and lathies came to his house and started abusing them. Thereafter co-accused Mumtaz and Nazeer made straight fires on the complainant party but they ducked down to save themselves. Thereafter applicants armed with hatchets and lathies assaulted complainant party injuring five persons who have received injuries ranging from section 337 A(i), A(ii) and other hurts, hence FIR.
3. Learned counsel in defence has argued that there was a free fight between the parties and four persons from accused party have been injured but police are not registering FIR, hence they have filed an application u/s 22-A & B Cr.P.C alongwith medical record of the injuries; there is two days delay in registration of FIR; that prosecution story is not plausible as the incident took place at midnight at 2330 hours and to identify each accused with respective weapon and role requires further inquiry.
4. Learned Addl. P.G. has opposed the bail stating that applicants have been nominated in the FIR with their specific role.
5. I have heard the parties and perused material available on record. It appears that there is a running enmity between the parties over a land dispute

and on the day of incident, a free fight took place between them in which not only from complainant party but accused party were also injured. The injuries sustained by the victim party are relatively minor punishable upto five years but since the incident took place in midnight, the role ascribed to each accused and weapons which they were armed requires further inquiry and unless evidence is record, these facts cannot be determined. Therefore, the applicants have been able to make out a case for bail.

6. In view of above, these applications are allowed. The ad-interim pre arrest bail granted to applicants in Cr. Bail Appl. No.2337/2024 is confirmed on the same terms and conditions, whereas applicants Noor Ahmed and Nazar Muhammad in Cr. Bail Applications No.2538 and 2385 of 2024 are granted bail subject to furnishing a solvent surety in the sum of Rs.50,000/- each and P.R bond in the like amount to the satisfaction of the trial court.

The bail application is disposed of.

**J U D G E**

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