

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA

Crl. Bail Application No. S- 332 of 2025

Applicant:	Shabir Ahmed s/o Ali Bakhsh Bhutto Though Mr. Mazhar Ali Bhutto, Advocate
Respondent:	The State Through, Mr. Nazir Ahmed Bhangwar, Deputy Prosecutor General, Sindh.
Date of hearing:	24-07-2025
Date of order:	24-07-2025

ORDER

Khalid Hussain Shahani, J.- Through this application, the applicant Shabir Ahmed Bhutto seeks confirmation of interim pre-arrest bail granted to him by this Court vide order dated 23.06.2025 in respect of FIR No. 03 of 2025, registered at Police Station Karampur under Sections 324, 337-F(i), 506/2, and 34 PPC.

2. The complainant alleged in the FIR that on 22.12.2024, the applicant along with co-accused assaulted him. The specific role attributed to the applicant is that he allegedly attempted to throttle the complainant, and when the complainant's father intervened, the applicant allegedly caused him a blow with a car tool. The FIR was lodged on 13.01.2025 with a delay of about 20 days from the date of occurrence.

3. Learned counsel for the applicant contended that the applicant is a law-abiding citizen serving as District Health Officer, Larkana, and has been falsely implicated due to personal enmity. It was further

argued that although serious allegations are levelled in the FIR, no corresponding medical evidence is available on record to support the ocular account, thus casting doubt on the veracity of the claim. He contended that the ingredients of Section 324 PPC are lacking, as there is no evidence of any injury on a vital part or use of a deadly weapon in a manner to cause death. Furthermore, the alleged threats of dire consequences attributed to the applicant under Section 506/2 PPC, if at all, require determination at trial as to whether the said provision is attracted in the facts and circumstances of the case. Remaining offences are bailable. It was also submitted that the applicant has joined investigation, cooperated with the police, and has not misused the concession of interim bail.

4. On the other hand, learned Deputy Prosecutor General, Mr. Nazeer Ahmed Bhangwar, appearing for the State, recorded no objection to the confirmation of interim bail, stating that the applicant has joined investigation and custodial interrogation is not required.

5. I have heard the learned counsel for the applicant and the learned DPG for the State, and have carefully examined the record with their assistance.

6. From tentative assessment, it appears that although the applicant has been nominated in the FIR and assigned a specific role, the medical record does not substantiate the alleged act of throttling or the alleged blow with the tool. This contradiction between the ocular account and medical evidence requires further probe. The delay of 20 days in lodging the FIR, though explained, adds weight to the applicant's plea of false implication. Furthermore, the alleged

offences, when legally examined, do not clearly attract the provisions of Section 324 PPC. The applicability of Section 506/2 PPC is also dependent upon proper adjudication during trial. The remaining offences are bailable in nature.

7. It is settled law that pre-arrest bail is an extraordinary relief to be granted in cases where the accused is able to demonstrate malice or ulterior motive, and in appropriate circumstances where the evidence does not prima facie justify custodial arrest. In the present case, the applicant has not misused the concession of interim bail, has remained associated with investigation, and no mala fide has been demonstrated by the prosecution or complainant.

8. In view of the above facts and circumstances, and in light of the no-objection recorded by the learned DPG for the State, I am of the view that the applicant has succeeded in making out a case for confirmation of interim pre-arrest bail.

9. Accordingly, the interim pre-arrest bail granted to the applicant Shabir Ahmed Bhutto vide order dated 23.06.2025 is hereby confirmed on the same terms and conditions.

J U D G E

Asghar Altaf/P.A