

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

Cr. Bail Appln. No. D-68 of 2025

**Before**

Mr. Justice Shamsuddin Abbasi  
Mr. Justice Ali Haider 'Ada',

Applicants

1. Hazoor Bux son of Aadat,  
2. Abbas @ Abbas Ali  
3. Naveed @ Bagi @ Naveed  
Ahmed  
Through M/s Safdar Ali G. Bhutto  
and Mushtaque Ali Langah,  
advocates

State

Through Mr. Aitbar Ali Bullo,  
D.P.G for the State

Date of hearing

08-10-2025

Date of order

08-10-2025

**ORDER**

**Shamsuddin Abbasi, J.-** Through this criminal bail application, the applicants Hazoor Bux, Abbas @ Abbas Ali and Naveed @ Bagi @ Naveed Ahmed seek post arrest bail in Crime No. 195/2024, registered at Police Station A-Section Kandhkot for offence u/s 353, 324, 225-B, 440, 147, 148, 149 P.P.C & 6/7 ATA. Initially the applicants escaped away from the scene of offence, thereafter they moved pre-arrest bail application before the trial court, which was dismissed vide order dated 12.09.2025 and the applicants/accused were taken into custody. Thereafter, the applicants moved post-arrest bail application before the trial court, which was also dismissed by the trial court vide order dated 19.09.2025.

2. Facts of the prosecution are mentioned in the impugned order, which are depicted as under:-

ASI Sher Ali Sabzoi lodged the F.I.R on 09.07.2024 at 1800 hours at P.S A-Section Kandhkot alleging therein that on the same date, he alongwith his subordinate staff left P.S in govt vehicle vide roznamcha entry No.16 at 1400 hours for patrolling in the area, during patrolling, ASI received spy information that accused Hazoor Bux wanted in case/crime No.172/2023 u/s 324, 14, 149 PPC of P.S A-Section Kandhkot was standing on the road in his village. On receiving such information, they alongwith police staff of PP C-Section headed by HC Abdul Rasheed proceeded towards pointed place and reached there at 1630 hours 0100 hours, where they saw accused Hazoor Bux was standing, police party stopped

their vehicles and apprehended to which raised cries whereupon other co accused namely 1.Imran, 2.Shoib, 3.Zaman, 4.Abbas, 5.Shaman, 6.Naveed Ahmed @ Bagi armed with KKs, guns and TT pistols and 20/25 unidentified accused armed with KKs, pistols, lathies and brickbats came running there and got released apprehended accused Hazoor Bux, thereafter all accused grappled with police, accused Imran, Naveed Ahmed @ Bagi, Abbas and made firing upon police party with intention to kill during which fire shots hit to police mobiles, the accused also caused damages with lathies and brickbats to police mobile, thereafter all accused also made firing upon police party with intention to kill, police party also retaliated firing in their defense, such firing lasted for about 07 minutes and thereafter all accused escaped away. Thereafter police party saw both police mobiles were damaged and then returned at P.S and lodged FIR against the accused on behalf of state to the above effect.

3. Learned counsel for applicants contended that applicants are innocent and they have been falsely implicated in this case with mala fide intention in order to show their efficiency as all the P.Ws are police officials who are interested and no independent person has been cited; that no specific role has been attributed to the applicants/accused and there are general allegations against them; that none from either side has received any single scratch, nothing has been recovered from applicants/accused, the applicant/accused Abbas Ali is suffering from epilepsy, the alleged incident took place on 09.07.2024 but I.O made recovery of empties on 10.07.2024, therefore, the case of applicants/accused requires for further inquiry, hence they may be admitted on post-arrest bail.

4. On the other hand, learned D.P.G for the State has opposed for grant of post-arrest bail on the grounds that applicants/accused duly armed with deadly weapons along with other accused are nominated in the FIR as they made straight firing upon police party with intention to kill and deterred them from discharging of their lawful duties; that there are sufficient grounds to show that applicants/accused are also involved in the commission of offence, therefore, they are not entitled for grant of post-arrest bail and same is liable to be dismissed.

5. Heard learned counsel for applicants, learned D.P.G and perused material available on the record.

6. This is a case of police encounter but none from either side has received any scratch or injury though both the sides were armed with sophisticated weapons and the alleged encounter continued for ten minutes. Case has been challaned; all the prosecution witnesses are official witnesses and question of tempering with the evidence does not arise. Applicants are behind the bars since 12.09.2025, they are no more required for further investigation. Applicability of Section 324 P.P.C requires further enquiry in terms of Section 497(2) Cr.P.C.

7. Only crime empties were recovered from the scene of offence on the next day of incident, no private mashir has been cited and no any incriminating material has been recovered from their possession.

8. Accordingly, instant criminal bail application is allowed. The applicants are admitted on post-arrest bail subject to furnishing their solvent sureties in the sum of Rs.100,000/- (one hundred thousand) each and P.R bonds in the like amount to the satisfaction of learned trial court.

9. The above observation made herein is tentative in nature and would not prejudice the case of either party in trial.

**J U D G E**

**J U D G E**

Abdul Salam/P.A