

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

Criminal Bail Application No.S-502 of 2025

Applicant : Huzoor Bux son of Noor Muhammad Lashari, through Mr. Imtiaz Ali Mugheri, Advocate.

Complainant : Abdul Rasheed Samejo, through Mr. Muhammad Afzal Jagirani, Advocate,

The State : Through Mr. Sardar Ali Solangi, D.P.G.

Date of hearing : 23.02.2026.  
Date of Order : 02.03.2026.

**ORDER**

**ABDUL HAMID BHURGRI, J.**- Applicant Huzoor Bux seeks post-arrest bail in Crime No.84 of 2025, registered at Police Station B-Section Kandhkot, for offences punishable under Sections 302, 337-A(i), 337-F(i), 337-H(ii), 147, 148, and 149 P.P.C., after dismissal of his post-arrest bail application by the learned I-Additional Sessions Judge, Kandhkot, vide order dated 30.08.2025.

2. Briefly stated, as per the prosecution case, on 15.06.2025 at about 05:00 p.m., the applicant along with co-accused, variously armed with lathis and firearms, came to occupy the complainant's house. Upon resistance, co-accused armed with firearms allegedly made firing upon Hakim Ali, who sustained firearm injuries and succumbed to the same at the spot. The present applicant and co-accused Wahid are alleged to have caused lathi blows to injured Sahib Ali on his head, left shoulder, and left knee. The FIR was lodged on 16.06.2025 at about 1500 hours.

3. Learned counsel for the applicant submits that there exists a dispute between the parties over a house and the FIR was lodged with delay of about 22 hours. He further submits that no

specific role of causing firearm injury to the deceased has been attributed to the applicant and the allegation against him is confined to causing lathi injury to injured Sahib Ali. He contends that the allegation against the applicant is general in nature and the question of common intention requires further inquiry. He, therefore, prays for grant of bail.

4. Conversely, learned counsel for the complainant and learned Deputy Prosecutor General oppose the bail application on the ground that the applicant is nominated in the FIR and has shared common intention with co-accused in the commission of murder.

5. I have heard learned counsel for the parties and perused the material available on record.

6. It appears from the record that admittedly there exists a dispute between the parties over a house and the FIR was lodged with delay of about 22 hours. The role attributed to the present applicant is limited to causing lathi blows to injured Sahib Ali. No specific role of causing firearm injury to the deceased has been attributed to the applicant, rather the fatal injury has been attributed to co-accused armed with firearms. The Medical Officer has declared the injuries attributed to the applicant as Shajjah-i-Khafifah and Jurh Ghayr Jaifah Hashimah. Moreover, the allegation against the applicant is general in nature, as no specific injury has been attributed to him individually, nor has it been specified as to which particular injury was caused by him. Therefore, the precise extent of the applicant's liability and his

alleged common intention with co-accused in the commission of murder requires deeper appreciation of evidence, which can only be undertaken after recording of evidence at trial.

7. At this stage, the case of the applicant squarely falls within the ambit of further inquiry as contemplated under Section 497(2), Cr.P.C. Reliance in this regard is placed on the case of ***Tariq Bashir v. State (PLD 1995 SC 34)***, wherein the Honourable Supreme Court has held that where the case calls for further inquiry, bail should ordinarily be granted as a matter of right and not as a concession.

8. Accordingly, this post-arrest bail application is allowed. The applicant is admitted to bail subject to furnishing solvent surety in the sum of Rs.100,000/- (Rupees One Hundred Thousand only) and P.R. bond in the like amount to the satisfaction of the learned trial Court.

9. The observations made hereinabove are tentative in nature and shall not prejudice the case of either party at trial.

**J U D G E**