

IN THE HIGH COURT OF SINDH CIRCUIT COURT LARKANA

Criminal Bail Application No. S-206 of 2026

Before:

Mr. Justice Ali Haider 'Ada'.

Applicant : Zahoor son of Zaid Muhammad Karejo, through Mr. Ameer Ali Sanjrani, Advocate.

Complainant : Through Mr. Riaz Hussain Mirani, Advocate.

The State : Through Mr. Nazir Ahmed Bangwar, Deputy Prosecutor General Sindh.

Date of Hearing : 18.06.2026

Date of Order : 18.06.2026.

ORDER

Ali Haider 'Ada' J.- Through this bail application, the applicant seeks post-arrest bail in Crime No.07/2026 registered at Police Station Garhi Khuda Bux Bhutto for offences punishable under Sections 324, 337-H(2), 504, 114, 148 and 149 PPC. Subsequently, upon completion of investigation, the police submitted challan wherein Sections 337-A(i) and 337-A(iii) PPC were also incorporated. Earlier, the applicant approached the trial Court for bail, which was declined vide order dated 28.04.2026.

2. Briefly stated, the prosecution case is that on 08.03.2026 the applicant, allegedly inflicted a hatchet blow upon injured Mumtaz Ali, causing a skull injury, and also caused injuries to Abdullah and Zareef over a dispute arising in the street. Although the occurrence allegedly took place on 08.03.2026, the FIR came to be registered on 10.03.2026.

3. Learned counsel for the applicant contends that the FIR was lodged after an unexplained delay of two days, which creates doubt in the prosecution story. He further submits that

all the prosecution witnesses are closely related to each other; that the applicability of Section 324 PPC is a matter to be determined during trial; and that Section 337-A(iii) PPC was not initially incorporated in the FIR but was subsequently added during investigation. He further argues that co-accused persons have already been granted post-arrest bail and the case of the present applicant stands on the same footing. It is also contended that due to prior enmity between the parties, the injured Mumtaz Ali had in fact sustained injuries after falling from the stairs of a mosque, therefore the question regarding the actual cause of injuries requires further inquiry. He accordingly prays for grant of bail.

4. Conversely, learned counsel for the complainant, while placing on record photographs, the final medical certificate, challan and charge-sheet, submits that the applicant has concealed material facts. He argues that after proper investigation, Section 337-A(iii) PPC was rightly incorporated in the challan submitted under Section 173 Cr.P.C. According to him, specific and direct allegations have been assigned to the present applicant, who allegedly caused serious injuries falling within the prohibitory clause; therefore, he is not entitled to the concession of bail.

5. Learned Deputy Prosecutor General adopts similar arguments and submits that the nature, gravity and severity of the injuries are to be considered. He contends that the applicant not only caused a serious injury to Mumtaz Ali but also inflicted injuries upon other prosecution witnesses. Since the offence falls within the prohibitory clause, the applicant does not deserve the concession of bail. He thus opposes the application.

6. Heard the learned counsel for the parties and perused the available record.

7. From the tentative assessment of the material available on record, it appears that a specific and effective role has been attributed to the present applicant in causing injuries to the injured persons. The contention raised by the learned counsel for the applicant regarding false implication and the actual manner in which the injuries were sustained requires deeper appreciation of evidence, which is not permissible at the bail stage where only a tentative assessment is to be undertaken.

8. The record reflects that the applicant allegedly inflicted the principal injury upon injured Mumtaz Ali, which, according to the final medical opinion, has been declared as *Shajjah-i-Hashimah* falling within the ambit of Section 337-A(iii), PPC, carrying a punishment extending up to ten years. The ocular account furnished by the prosecution witnesses finds support from the medical evidence, and the statements of the eye-witnesses recorded under Section 161 Cr.P.C. consistently implicate the applicant in the commission of the offence. In this regard, reliance is placed upon **Muhammad Fayyaz v. The State (2025 YLR 505)**.

9. So far as the delay in registration of the FIR is concerned, the same by itself is not sufficient to extend the concession of bail when the prosecution case is otherwise supported by confidence-inspiring evidence. Reference may be made to **Muhammad Ali v. The State (2025 MLD 381)**.

10. The plea of parity is also not available to the applicant. Although roles have been assigned to all accused persons, the present applicant has been attributed a distinct and effective role in causing the principal injury. Therefore, his case stands on a different footing from that of the co-accused who have been granted bail. The contents of the FIR, site plan and medico-legal evidence prima facie support the prosecution

version. Reliance in this respect is placed upon ***Bakhti Rahman v. The State (2023 SCMR 1068)***.

11. It further appears from the record that the applicant was arrested and the crime weapon was also secured during the course of investigation, which provides further corroboration to the prosecution case. In this regard, guidance is sought from ***Major (R) Muhammad Iffikhar Khan v. The State (2022 SCMR 885)***.

12. The offence attributed to the applicant falls within the prohibitory clause of Section 497(1), Cr.P.C. It is now well-settled that in such cases post-arrest bail is ordinarily granted only where the accused brings his case within the recognized exceptions, namely minority, womanhood, sickness or infirmity, delay in conclusion of trial not attributable to the accused, or where the case calls for further inquiry under Section 497(2), Cr.P.C. At this stage, none of these exceptions is attracted. **Reliance is placed upon *Muhammad Atif v. The State (2024 SCMR 1071)***.

13. For the foregoing reasons, no case for grant of post-arrest bail is made out. Consequently, the instant bail application is dismissed.

JUDGE