

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA
Cr. Bail Appln. No.S-383 of 2026

Date of Hearing	ORDER WITH SIGNATURE OF JUDGE
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06.08.2026.

- 1. For orders on M. A. No.3968/2026.
- 2. For orders on office objection.
- 3. For hearing of Bail Application.

Mr. Asad Rasool Mahar, advocate along with the applicants.

1. Granted.

2 & 3. It is, *inter alia*, contended by the learned Counsel for the applicants that there are two counter-FIRs bearing Crime No.68/2026 and FIR of instant case vide Crime No.70/2026, registered at P.S. Lakhi, District Shikarpur, in which both parties have implicated each other under counter version. Learned Counsel next submits that the matter was at premature stage and no Final Medical Certificate was issued by the Medicolegal Officer, but the learned trial Court decided the bail application in haphazard manner. Learned Counsel further submits that Section 324, PPC is not applicable and the injuries allegedly sustained by the injured are on non-vital parts.

Initially, the applicants/accused were granted interim pre-arrest bail vide order dated 23.07.2026, which was subsequently recalled vide order dated 30.07.2026. The para No.5 of the impugned order reflects that the learned trial Judge has not recorded any observation with regard to the nature of injuries of injured persons, which indicates that the Final Medical Certificates of injured were not available and the matter was still under investigation. In my view, it is not sufficient material to decide the bail application on merits.

It may be observed here that in Criminal Bail Application No.S-376/2026 filed before this Court in Crime No.31/2025 of PS Chak,

District Shikarpur, the learned 5th Additional Sessions Judge, Shikarpur adopted same practice/course of deciding the bail application in hasty manner.

Any how, in view of above facts and circumstances, the impugned order dated 30.07.2026 is hereby set aside and the case is remanded to the learned 5th Additional Sessions Judge, Shikarpur with direction to decide the bail application afresh on merits on the basis of material collected by the I.O. after conclusion of proper investigation and no such order shall be passed by the trial Court under hurried manners. The applicants/accused shall be deemed to be on interim pre-arrest bail before the learned trial Court and they are directed to appear before the trial Court on 18.08.2026. Let copy of this order be transmitted to 5th Additional Sessions Judge, Shikarpur through the learned District & Sessions Judge, Shikarpur.

Instant bail application is disposed of in above terms.

JUDGE

Qazi Tahir PA*