

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR.
Criminal Bail Application No.S-787 of 2026.

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE
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Applicants: Naveed Ali son of Inayat by caste Mallah
Through Mr. Aftab Hussian Shar Advocate.

The State: Through Mr. Mansoor Ahmed Shaikh, D.PG.

Date of hearing & order: 30.09.2026.

Suresh Kumar J:- Through instant Criminal Bail Application applicant/accused Naveed Ali Mallah seeks his post-arrest bail in Crime No.51/2025 for the Offences Punishable U/Ss 337-A(iii), 337-A(i), 337-F(i),147, 148,149 PPC registered at Police Station, Bozdar Wada District Khairpur.

2. The facts of the prosecution, as depicted in the FIR, are that on 01.08.2025, complainant Najaf Mallah lodged an FIR stating that he has a civil litigation with accused Ali Hassan Mallah and others, who were annoyed with him and had been issuing threats. On 09.07.2025, he, along with his uncle Karimdad and Irshad Ali, was returning home when they reached near the house of Wahid Bux at 09:00 AM. There, they saw the applicant/accused Naveed Ali, along with co-accused named in the FIR, who were duly armed with deadly weapons and lathis, suddenly approaching them. Upon the instigation of co-accused Ali Hassan, the applicant/accused caused a lathi blow to complainant Najaf Mallah on his face, specifically upon the nose, resulting in bleeding. Other accused also inflicted blows on the complainant's body. Upon hearing the cries and the arrival of villagers, the accused persons fled the scene. The injured complainant was then taken to the police station, and after obtaining a police letter, he was brought to Taluka Hospital Mirwah. Thereafter, the complainant appeared at the police station where he lodged the FIR.

3. The applicant initially applied for grant of post arrest bail, before the Court of learned Additional Sessions Mirwah District Khairpur

which was dismissed vide order dated 19.09.2025⁶. The applicant/accused being aggrieved by this dismissal order, the applicant has approached this Court.

4. I have heard learned counsel for applicant/accused, and learned D.P.G Sindh, who strongly opposed the grant of post arrest bail to the applicant/accused contending that specific role has been attributed to him.

5. Having given due consideration to the arguments advanced by the learned counsel for the applicant, the learned DPG, and having perused the relevant material available on record, it is observed that from the perusal of the FIR, the applicant/accused has been assigned the specific role of causing a lathi injury to the injured complainant Najaf Ali on his face, specifically upon the nose. This injury has been declared as Shujjah-i-Hashimah by the Medical Officer, which falls within the ambit of Section 337-A(iii) of the Pakistan Penal Code (PPC) and is punishable by up to 10 years. Furthermore, it falls within the purview of the prohibitory clause of Section 497(1) of the Code of Criminal Procedure (Cr.P.C.). The record further reveals that the pre-arrest bail application bearing No. S-1080 of 2025, filed on behalf of the applicant/accused, was also dismissed by this Court after considering the merits of the case, as per the order dated 24.06.2026. The version of the complainant/injured is supported by witnesses as well as medical evidence; therefore, there is prima facie sufficient material available on record that connects the applicant/accused with the commission of the offence.

7. For the foregoing reasons I am of the considered view that the applicant/accused has failed to make out his case for grant of bail after arrest. Consequently his bail application is dismissed.

8. Needless to say that the above observations are tentative in nature and will not prejudice the case of either party at trial.

JUDGE

Hizbullah