

HIGH COURT OF SINDH CIRCUIT COURT MIRPURKHAS

Criminal Bail Application No.S-30 of 2026

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Applicant: Abdul Sattar s/o Kirrar Khan.
Through Mr. Muhammad Yaseen
Khaskheli, Advocate.

Respondent: The State
Through Mr. Ghulam Abbas Dalwani,
Deputy Prosecutor General Sindh.

Complainant: Muhammad Yaseen s/o Soofi Ismail
Through Mr. Muhammad Salim Malik,
advocate.

Date of Hearing: 05.03.2026

Date of Order: 05.03.2026

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ORDER

Miran Muhammad Shah, J-: Applicant/accused namely Abdul Sattar seeks pre-arrest bail in Crime No.121 of 2025 for offence under Sections 337-A(i), 337-A(ii), 337-F(i), 337-F(vi), 337-L(ii), 147, 148, 149, 504 PPC registered at Police Station Mangli, after dismissal of his bail plea by the learned Additional Sessions Judge-I/MCTC, Sanghar, vide order dated 14.11.2025.

2. The details and particulars of the F.I.R are already available in bail application and the F.I.R, as such, need not to reproduce the same hereunder.

3. Learned counsel for the applicant/accused submits that the applicant/accused is innocent and has been falsely implicated in the present case due to previous enmity; that the FIR was registered with the delay of six days without any plausible explanation; that role assigned to the complainant for causing hatchet does not fall within the prohibitory clause. Lastly, he prayed for the confirmation of pre-arrest of bail.

4. Conversely, learned A.P.G and learned counsel for the complainant have vehemently opposed for the confirmation of bail to the applicant/accused and prayed for dismissal of the instant bail application.

5. I have heard the learned counsel for the applicant/accused, learned counsel for the complainant and learned D.P.G for the State and perused the record.

6. From the record, it transpires that there is previous enmity between the parties, which is admitted in the F.I.R., and several disputes of criminal nature are pending between both sides. The role attributed to the applicant/accused is that he caused an injury to one person with an iron rod, which allegedly hit him on his arm. The applicant/accused has also been attributed different injuries to the complainant's side. However, it is informed that other co-accused, who allegedly caused injuries, have been granted bail, whereas the bail of the present applicant/accused was rejected by the learned trial Court. The incident appears to be the result of a mob-like situation where several persons, with common intention, allegedly attacked the complainant party on the basis of previous enmity. In such circumstances, the question of ulterior motive or mala fide cannot be ruled out, and the role assigned to each accused appears to be based upon the admitted enmity. The co-accused, who are similarly placed, have already been granted bail. Moreover, the offences attributed to the present applicant/accused do not fall within the prohibitory clause. However, in order to satisfy the complainant, the police are insisting upon the arrest of the applicant/accused, which cannot be allowed at this stage, therefore, ad-interim pre-arrest bail granted to the applicant vide order dated 28.01.2026 is hereby confirmed on the same terms and conditions.

8. The observations made here-in-above are tentative in nature and would not prejudice the case of either party at the trial.

The application stands disposed of.

JUDGE

Adnan Ashraf Nizamani