

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD  
Criminal Bail Application No.S-1068 of 2022

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<u>DATE</u>	<u>ORDER WITH SIGNATURE OF JUDGE</u>
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21.10.2022

Mr. Abdul Rehman Dahri advocate for applicant along with applicant on ad-interim pre-arrest bail.

Ms. Rameshan Oad, A.P.G.

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**MUHAMMAD IQBAL KALHORO, J.-** There is bad blood between the parties, who are cousins inter se, over a plot situated in the village. Allegedly on 13.07.2022 applicant armed with Kalashnikov along with 04 other accused named in the FIR, also armed with deadly weapons, entered the house of PW Gul Muhammad situated in village Noor Muhammad Ja Quba, Deh Noor Muhammad, Taluka Qazi Ahmed. No sooner they came in the house than co-accused Ahsan Dahri called out brother of complainant namely Gul Muhammad and applicant in order to murder him made straight fire on him: Gul Muhammad hitting calf of his left leg causing him an injury, opined by Medico Legal Officer as 337-F(iii) PPC, punishable for only 03 years. The FIR was registered next day on 14.07.2022.

2. Applicant's counsel submits that applicability of section 324 PPC is yet to be established as applicant has not repeated fire upon complainant party although they were on his mercy, and co-accused, who are alleged to have set on fire hedge-roof of the house have already been granted bail.

3. Learned Assistant PG has opposed bail.

4. Notwithstanding, the injury attributed to the applicant is on non-vital part of the body and is punishable only for 03 years. He did not repeat fire on the victim is admitted and therefore applicability of section 324 PPC against applicant is yet to be determined. There is already bad blood between the parties, therefore, malafide on the part of complainant cannot be ruled out either.

5. In these circumstances, this application is allowed and applicant's ad-interim pre-arrest bail granted to him vide order dated 11.10.2022 is hereby confirmed on the same terms and condition.

6. The observations made hereinabove are tentative in nature and shall not influence the trial court while deciding the case on merits.

JUDGE

