

IN THE HIGH COURT OF SINDH, AT KARACHI
Cr. Bail Application No. 2359 of 2022

Applicant : Shahnawaz s/o. Jehanzaib,
through Mr. Nasir Ahmed, advocate

Respondent : The State, through Ms. Rahat Ehsan, Additional
Prosecutor General.

Complainant : Jehangir s/o. Mir Afzal
through Mr. Muhammad Zakir, advocate.

Date of hearing : 12.06.2023
Date of order : 12.06.2023

ORDER

ZAFAR AHMED RAJPUT, J:- Having been rejected his earlier Bail Before Arrest Application bearing No. 3133 of 2022, arising out of Crime/F.I.R. No. 440 of 2022, registered at P.S. Kharadar, Karachi under Sections 324/34, P.P.C., by the Court of IXth Additional Sessions Judge, Karachi-South vide order dated 24.11.2022, applicant/accused Shahnawaz s/o. Jehanzaib through instant application seeks the same concession from this Court. He was admitted to interim pre-arrest bail by this Court vide order, dated 05.12.2022, now the matter is fixed for confirmation or otherwise.

2. It is alleged that, on 18.08.2022 at about 1315 to 1320 hours near Saleem Pan Shop, in Chamra Gali, Joon Market, Karachi, applicant and co-accused Shahzad in furtherance of their common intention caused fist and kick blows to complainant and applicant caught hold of the complainant while co-accused Shahzad caused churi blow to the complainant with intention to commit his murder, which hit on his neck, for which, the applicant and co-accused were booked in the instant F.I.R.

3. Heard, record perused.

4. It is an admitted position that as per Medico legal report the alleged offences have been declared to be as 337-L(ii) and 337-F(i), P.P.C. which are bailable offences wherein bail is normally granted as a matter of right.

5. For the aforementioned facts and reasons, the interim bail already granted to the applicant vide order dated 05.12.2022 is confirmed on the same terms and conditions.

6. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the trial Court while deciding the case of the applicant on merits. However, in case the applicant misuses the concession of bail in any manner, the trial Court shall be at liberty to cancel the same after giving him notice, in accordance with law

Cr. Bail Application stands disposed of.

JUDGE

Athar Zai