

# IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Crl. Bail Application No.D- 40 of 2024  
(*Inayatullah Jatoi v. The State*)

Present:

**Muhammad Iqbal Kalhoro &  
Arbab Ali Hakro, JJ**

Applicant : **Inayatullah Jatoi**  
through Mr. Rukhsar Ahmed  
Junejo, Advocate.

The State : Through Mr. Aftab Ahmed Shar,  
Additional Prosecutor, General.

Date of Hearing : **29-05-2024**  
Date of Decision : **29-05-2024**

## **ORDER**

**MUHAMMAD IQBAL KALHORO, J.:** As per FIR, registered by HC-Allah Warrayo on behalf of the State, a drive was initiated for arresting the absconders on 22.10.2023. During which, at about 0900 hours near Bagirji lake, they spotted 19-accused, duly armed with deadly weapons including KKs belonging to Kharos community passing by the area, out of whom 14-accused were identified and are named in FIR. When the police called them out to surrender, they started firing on the police retaliated by the latter. Applicant, who was one of them, is stated to have fired hitting PC-Ayaz Ali on his face causing him a pellet injury below right eye over nose. Thereafter, all accused managed to make their escape good. Hence, FIR.

2. Subsequently, applicant already arrested and confined in jail in some crime was taken into custody in the present case and produced in the Court.

3. Learned counsel for applicant has argued that there is apparent discrepancy in the oral account and medical evidence in that the provisional medical certificate shows that PC-Ayaz Ali had received one injury that too from a hard and blunt substance. More so, there is delay of two days in registration of FIR. These grounds, *prima facie*, hold good as nothing has been offered to rebut them for the time being by learned Additional P.G.

4. We have considered arguments and perused material available on record. Applicant is in jail for last more than six months. Investigation is over as the Challan has been submitted and applicant is no more required for further investigation. No incriminating article was recovered from the applicant after his arrest in the present case. Therefore, a case of further enquiry is made out.

5. Accordingly, this bail application is **allowed** and applicant is admitted to post-arrest bail subject to his furnishing a solvent surety in the sum of **Rs.100,000/- (One Lac)** with P.R bond in the like amount to the satisfaction of the trial Court. The observations made hereinabove are tentative in nature and shall not influence the trial Court while deciding the case on merits.

The bail application is accordingly disposed of in the above terms.

**JUDGE**

**JUDGE**

Ahmad