

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT,  
HYDERABAD.**

Criminal Bail Application No.S-1316 of 2023

Applicants : Through Mr. Ghulamullah Chang, Advocate.  
Complainant : Through Mr. Samiullah Rind, Advocate.  
State : The State through Ms. Rameshan Oad, Asst. P.G Sindh.

---

Criminal Bail Application No.S-1365 of 2023

Applicants : Through Mr. Samiullah Rind, Advocate.  
Complainant : Through Mr. Ghulamullah Chang, Advocate.  
State : The State through Ms. Rameshan Oad, Asst. P.G Sindh.  
Date of hearing : **25.01.2024**  
Date of Order : **25.01.2024**

**O R D E R**

**AMJAD ALI SAHITO, J:-** Since both above captioned bail applications are arising out of one and same incident, as such, are being disposed of by this single order.

2/- Through Cr. Bail Application No.S-1316 of 2023, the applicants / accused seek their admission on pre-arrest bail in Crime No.51 of 2023, u/s 403, 337-H(ii), 504, 337-A(i), 337-F(iii) PPC registered at P.S Challgiri District Hyderabad. Whereas, applicants/accused through Cr. Bail Application No.S-1365 of 2023 also seek their admission on pre-arrest bail in Crime No.52 of 2023, u/s 337-H(ii), 337-F(i), 337-F(vi), 337-L(ii), 147, 148, 149, 504, 427 PPC registered at P.S Challgiri District Hyderabad. Earlier, the applicant(s) in both Cr. Bail Applications, had approached the trial Court for grant of pre-arrest bail however, their plea of bail was declined; hence, they approached this Court.

3/- The details and particulars of the F.I.R(s). are already available in the bail application(s) and F.I.R(s)., same could be gathered from the copy of F.I.R(s). attached with such application(s), hence needs not to reproduce the same hereunder.

4/- I have heard learned counsel for the parties and have perused the record available.

5/- Admittedly the parties are related inter-se being real brothers and the alleged incident is said to have taken place at the same time and place, therefore, it is yet to be determined by the learned trial Court after recording evidence of both parties as to who is aggressor and aggressed by. In these circumstances, the case of the applicant(s) in both bail applications falls within the ambit of sub-section (2) of section 497 Cr.P.C. Resultantly, both above Cr. Bail Applications are **allowed** and the interim bail granted earlier to the applicant(s) is hereby confirmed on same terms and conditions.

6/- Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the learned Trial Court while deciding the case of the applicant(s) on merits.

**JUDGE**

*\*Hafiz Fahad\**