

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

**Cr. Bail Application No. S-997 of 2024**

Sain Bux.....Applicants

Versus

The State.....Respondent

**Cr. Bail Application No. S-1126 of 2024**

Mir Muhammad .....Applicant

Versus

The State.....Respondent

Ghulamullah Chang, Advocate, for the Applicants  
Sana Memon, APG

Date of Hearing : 18.10.2024.

**ORDER**

**YOUSUF ALI SAYEED, J** - Following the dismissal of their earlier bail applications by the learned Sessions Judge, Badin the Applicants have approached this Court under section 498 Cr.P.C seeking pre-arrest bail in respect of FIR No. 397 of 2024, registered against them at Police Station Badin, on 22.07.2024 under Sections 337-F(v), 147, 148, 149, 504, 337-L(ii) PPC.

2. Succinctly stated, in the FIR, the Complainant has alleged that on 06.06.2023, at about 6:30 PM, he and his grandson witnessed his son being attacked in the street outside their residence by several relatives with whom he was embroiled in a family dispute, including the two Applicants, with all of the assailants said to have inflicted blow upon him with either the backside of a hatchet or with a lathie.

3. Learned counsel for the Applicant and the learned APG were heard and the record perused, with the following points coming to the fore:
  - (a) There is apparent delay in lodging the FIR for which no proper explanation has been advanced other than it being stated that some notables held a village *faisla* and the FIR was registered when to the same was not honoured, and the prospect of false implication cannot be ruled out at this stage, especially in view of the admitted family feud.
  - (b) No incriminating recovery has been made from the Applicant.
  - (c) Several of the co-accused have already been granted bail by the trial Court vide Order dated 19.09.2024.
  - (d) Most of the alleged offences are bailable and none falls within the prohibitory clause of Section 497(1) Cr.P.C, with the matter even otherwise appearing to be one requiring further inquiry.
  
4. It is in view of those factors that the Application was then allowed vide a short Order made in Court upon culmination of the hearing on 18.10.2024 with the interim pre-arrest bail granted in the matter being confirmed on the prevailing terms.

JUDGE