

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

**Cr. Bail Application No. S-1046 of 2024**

Javed.....Applicant

Versus

The State.....Respondent

Barrister Muhammad Azmatullah, advocate for applicant  
Irfan Ali Khaskheli, advocate for complainant  
Sana Memon, Assistant P.G

Date of Hearing : 08.11.2024

**ORDER**

**YOUSUF ALI SAYEED, J** - Following the dismissal of his earlier bail application by the learned II<sup>nd</sup> Additional Sessions Judge Jamshoro @ Kotri the Applicant has approached this Court under section 497 Cr.P.C seeking post-arrest bail in respect of FIR No. 76 of 2024, registered against him at Police Station Sehwan, on 12.06.2024 under Sections 302, 337-F (iii), 397, 506(2), 504 and 34 PPC.

2. Succinctly stated, the allegations set out in the FIR are that the Applicant along with two other persons, namely Nisar and Farhan, accosted the complainant and other family members in order to rob them, but upon resistance being offered by them a scuffle, with Farhan said to have fired upon the complainant and his family members so as to secure the freedom of his compatriots, but the bullets hitting them instead resulting in injuries to the Applicant and the demise of Nisar.

3. Learned counsel for the Applicant argued that the allegations against the applicant were false and fabricated; that no incriminating recovery has been made from him and that post-arrest bail had already been granted to co-accused Farhan, vide Order dated 27.08.2024 passed by the Trial Court in Criminal Bail Application No.833 of 2024.
4. Conversely, the learned APG, assisted by learned counsel for the complainant, pointed out that bail had been granted to the co-accused in view of the fact that he was minor, with being specifically noted in the Order that he was otherwise not entitled to the concession. It was submitted that the case of applicant was thus on a different footing and that the medical report established the gunshot injuries so as to link him to the incident. It was also submitted that that the incidence of armed robberies and gunpoint was growing day by day and constituted a menace to the society.
5. Having considered the matter and perused the Order dated 13.09.2024 made by the trial Court so as to dismiss the Applicant's earlier bail application, it appears that cogent grounds have been given, with the statements of witnesses and medical report having been duly considered. Under such circumstances, it appears that there is sufficient cause to link the Applicant to the offence, as alleged, thus no case for grant of bail stands made out.
6. It is in view of the aforementioned factors that the Application was dismissed vide a short Order made in Court upon culmination of the hearing on 08.11.2024.

JUDGE