

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

Cr. Bail Appln. No.S-18 of 2025

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<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE</b>
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1. For orders on office objections.
2. For hearing of main case.

Applicant : Israr Lund son of Ameer Bux Lund,  
Through Mr. Abdul Hafeez Solangi,  
Advocate.

The State : Through Ms. Rameshan Oad,  
Assistant P.G.

Date of hearing : 07.02.2025.

Date of Order : 07.02.2025.

**ORDER**

**ABDUL HAMID BHURGRI, J:-** The applicant, having been unsuccessful in securing bail from the Trial Court in Crime No. 219 of 2024, registered at P.S A-Section, Dadu, for offenses under Sections 302, 337-H(ii), 504, 147, 148, and 149 PPC, now seeks judicial reprieve through the instant bail application.

2. It is alleged that on 07.07.2024, the complainant, accompanied by his nephews, Mureed and Shareef, and cousin, Muhammad Qasim, was present on his agricultural lands during the early hours of the morning when, at approximately 07:45 AM, the applicant, along with co-accused Abdul Hameed, Waheed, Ameer Bux, and Asad, arrived armed, given their pre-existing acrimonious land dispute with the complainant. It is further alleged that co-accused Abdul Hameed Lund discharged direct rifle fire upon Mureed, resulting in fatal injuries that ultimately led to his demise. The applicant, along with other co-accused, allegedly engaged in aerial firing before fleeing the scene. Consequently, an FIR was lodged.

3. The learned counsel for the applicant has strenuously argued that his client is innocent, and his implication in the case is a byproduct of mala fide intent on the part of the complainant. It is contended that the allegations against the applicant are vague and non-specific, as he is merely accused of aerial firing, with no causal nexus established between his actions and the death of the deceased. Furthermore, the co-accused Asad Ali, whose alleged role mirrors that of the applicant, has already been granted bail by this Honorable Court. Therefore, in the interest of consistency, the applicant is entitled to identical judicial treatment. The learned counsel further emphasized that the applicant has been languishing in incarceration since his arrest and thus should be admitted to bail, subject to his willingness to furnish the requisite surety.

4. The learned Additional Prosecutor General (APG), appearing on behalf of the State, has acknowledged that the applicant is indeed nominated in the FIR, but only with respect to aerial firing, without any direct role in the homicide. However, the APG raised no objection to the grant of bail, considering that a co-accused with an identical role has already been extended such relief.

5. Despite being duly notified, the complainant's counsel has remained absent. On the last date of hearing, the matter was adjourned by mutual consent.

6. Having heard the learned counsel for the applicant and the learned APG, and upon meticulous examination of the case record, the following observations are set forth.

7. It is an uncontroverted fact that the incident transpired on agricultural land amid a protracted dispute fueled by deep-seated hostility between the rival factions. The applicant stands nominated in the FIR, but solely in connection with aerial firing, and his actual presence at the crime scene, as well as his intent, remains a matter for adjudication during trial, following the proper recording of evidence. It is yet to be determined whether the applicant harbored a common

intention with the principal accused or was merely a peripheral figure in the sequence of events.

8. The applicant's case is factually and legally analogous to that of co-accused Asad Ali, who has already been granted bail by this Honorable Court. Consequently, in the spirit of judicial consistency, the applicant is entitled to the same relief. Given that the applicant has remained behind bars since his arrest and is no longer required for investigative purposes, his continued incarceration serves no constructive end. The indeterminate timeline for trial completion further bolsters the argument that prolonged detention would be unjustifiable and unwarranted.

9. In view of the foregoing discourse, the instant Criminal Bail Application stands ALLOWED, and the applicant is admitted to post-arrest bail, contingent upon his furnishing solvent surety in the sum of Rs. 100,000/- (Rupees One Hundred Thousand) and a P.R. Bond of the same amount, to the satisfaction of the learned trial court. These constitute the rationale behind my short order of even date, whereby the applicant was granted bail.

10. It is, however, categorically clarified that the observations articulated herein are tentative and shall neither prejudice nor preempt the merits of the case at the stage of trial.

Accordingly, the bail application stands disposed of.

JUDGE