

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

Criminal Bail Application No.S-1016 of 2022

DATE	ORDER WITH SIGNATURE OF JUDGE
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17-10-2022

Mr. Imtiaz Ali Chanhio advocate for applicant.

Ms. Rameshan Oad, Assistant Prosecutor General Sindh.

MUHAMMAD IQBAL KALHORO, J:- There was already bad blood between the parties, when on 07.05.2022 applicant along with co-accused Iqbal Umrani and Chakar Umrani, all armed with hatchets, came across complainant party at A.C Chak Mori. Out of three accused, co-accused Chakar Umrani caused sharp side hatchet blows on head and nape of neck of Ghulam Rasool causing him multiple injuries. When the complainant party tried to intervene, the applicant called them out and desisted them from coming close. FIR was registered on 09.05.2022 and applicant and other accused were arrested on the same day i.e. 09.05.2022. No injury is attributed to the applicant except that he was present at the spot and when the complainant party tried to intervene he had stopped them from making such endeavor. The enmity between the parties is admitted, the case has been challaned. The applicant is no more required for further investigation. Citing these grounds learned defense counsel has pleaded for bail, opposed by learned A.P.G. Sindh.

2. Although applicant was armed with a hatchet but did not cause any injury to the injured. Applicability of section 324 PPC and section 34 PPC against the applicant on account of his non-active role is yet to be determined. On account of previous enmity, his implication out of a motive base cannot be ruled out either. More so, after submission of the challan, applicant is not required for any investigation. The case, for foregoing discussion, for bail has been made out. Accordingly, this application is allowed and bail is granted to the applicant against execution of surety of Rs.1,00,000.00 [Rupees one hundred thousand only], to the satisfaction of trial Court.

4. The observations made hereinabove are tentative in nature and shall not influence the trial Court while deciding the case on merits.

JUDGE