

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

Criminal Bail Application No.S-09 of 2023

<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE</b>
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For orders on office objection.

For hearing of main case.

31.03.2023.

Mr. Ayaz Hussain Rind advocate for the applicant.

Mr. Deen Muhammad Chandio advocate for complainant.

Mr. Abdul Waheed Bijarani Assistant PG.

Applicant is present on ad-interim pre-arrest bail.

Complainant is present in person.

**ORDER**

MUHAMMAD IQBAL KALHORO, J:- There is an old dispute between the parties who are caste-fellows. On the day of incident viz. 21.09.2022 at 06.30 pm applicant armed with a pistol along with other co-accused duly armed with lathies and hatchets caused blows on different parts of the bodies of PWs Manzoor and Akram Khoso, brothers of the complainant. PW Manzoor has sustained seven injuries and PW Akram has sustained two injuries. Most of the injuries are minor in nature and bailable except one injury under Section 337-F(vi) PPC on knee of PW Manzoor which is punishable for seven years. However, the injuries are attributed to co-accused and not to present applicant who is shown in FIR to be armed with a pistol only but admittedly not using it. Learned defence counsel, citing these facts and grounds, has pleaded for bail opposed by learned counsel for the complainant. Learned APG submits that the applicant is nominated in the FIR but admits that his mere presence has been shown and no injury is attributed to him. The case against the applicant in such circumstances requires further inquiry and his false implication in the case on account of previous enmity by the complainant cannot be ruled out. Accordingly, the bail application is allowed and ad-interim pre-arrest bail granted to applicant vide order dated 03.01.2023 is hereby confirmed on the same terms and conditions.

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

JUDGE