

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

Criminal Bail Application No.S-278 of 2023

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders on office objection.
For hearing of main case.

17.04.2023.

Mr. Mehboob Ali Solangi advocate for the applicants.
Ms. Sana Memon, Assistant Prosecutor General, Sindh.
Mr. Ghazi Salahuddin Panhwar advocate for complainant.
Applicants are present on ad-interim pre-arrest bail.
Complainant is present in person.

O R D E R

MUHAMMAD IQBAL KALHORO, J:- On 21.02.2023, when complainant was sitting in his Otaque in village Ghulam Muhammad Lound, Taluka Tando Bago, applicants, armed with weapons including a gun and hatchets, along with 4/5 unknown accused arrived there and started abusing complainant party. Then, on the instigation of applicant Muhammad Suleman, the remaining accused attacked the complainant party, injuring complainant, PWs Shafi Muhammad and Mst. Hasi (the mother of the complainant), and Saifal (the uncle of complainant) when they tried to intervene. Out of injured, Muhammad Rafique and Shafi Muhammad received injuries at the hand of applicants Shahbaz Ali and Nadir Ali, which have been opined as 337-F(v) PPC, fracture of bone, whereas the remaining injured have received only minor injuries, which are bailable. The role attributed to the remaining applicants is of general nature, and no material injury attributed to them. Applicant Muhammad Suleman is assigned the role of only instigation.

Learned defence counsel has pleaded for confirmation of bail, whereas learned counsel for complainant has opposed his arguments. However, learned APG has only opposed bail to applicant Nadir Ali and Shahbaz Ali, referring to their specific role supported by medical evidence.

In view of the above, bail application to the extent of applicants Muhammad Suleman, Sikandar Ali, Allah Dad, and Ali Akbar is allowed as they have not been assigned any specific role and no

injury is attributed to them, and ad-interim pre-arrest bail granted to them vide order dated 30.03.2023 is hereby confirmed on the same terms and conditions. Whereas, the bail application to the extent of applicants Shahbaz Ali and Nadir Ali, as they have been assigned specific role of causing injuries to PWs Muhammad Rafique and Muhammad Shafi which are supported by medical certificate, is dismissed, and ad-interim pre-arrest bail granted to them vide same order is hereby recalled.

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

JUDGE

Irfan Ali