

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

Criminal Bail Application No.S-279 of 2025

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

06.05.2025

Mr. Sanaullah Bhangar Advocate for Applicant/Accused.
Mr. Irfan Ali Talpur DPG.

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MIRAN MUHAMMAD SHAH, J.- Through this Bail Application, Applicant/Accused has sought for post arrest bail in Crime No.15 /2025 registered u/s 337-F(ii), 147, 148, 149 PPC at PS Dehi, District Badin, after dismissal of his bail plea by the learned 2nd Additional Sessions Judge Badin vide Order dated 17.03.2025, hence he has approached this Court.

2. Since the facts of prosecution case are already mentioned in FIR as well as memo of Bail Application, therefore, there is no need to reproduce the same.

3. Counsel for the Applicant/Accused along with Applicant/Accused states that the present Applicant/Accused has been falsely implicated in this case due to enmity between the parties. Applicant/Accused has been falsely implicated in this case for malafide and ulterior motives. He also states that all the co-accused have been granted bail in this matter and the sections applied in the FIR do not fall within the prohibitory clause. He also states that a counter FIR was lodged by the accused party which case has already been challaned and the accused in the case are on bail although section 324 PPC has been applied in the case.

4. Learned DPG however vehemently opposes this Bail Application and states that the role attributed to the present Applicant is of different nature and he injury attributed in this FIR of Section 337-F(ii) has been attributed to the present Applicant/accused.

5. I have heard both the Counsel and have come to the conclusion that the injury attributed to the present Applicant/accused though distinguishes his role from the role of other accused but is on the non-vital part of the body while the remaining co-accused enjoy the benefit of free movement. Present applicant/accused being co-accused must not face the humiliation of being behind bars. Admittedly there is enmity between the parties therefore their implication in a case for ulterior motives and malafide cannot be ruled out. Therefore in above circumstances, I hereby confirm pre-arrest bail of the above present Applicant/Accused on the same terms and conditions as passed in interim pre-arrest bail Order on 20.03.2025.

JUDGE

Ali Haider