

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
MIRPURKHAS**

Crl. Bail Application No.S-241 of 2025

Applicant: Dilber S/o Mir Muhammad Bugti,
Through Mr. Sajjad Ali Magsi, Advocate.

Respondent: The State.
Through Mr. Dhani Bakhsh Mari, Assistant P.G.

Date of Hearing: 02.10.2025

Date of Order: 02.10.2025

ORDER

Amjad Ali Sahito, J: Through this Bail Application, the applicant/accused seeks post-arrest bail in FIR No.36/2024 registered under Sections 324, 506(ii), 337-A(i), A(ii), 337-F(i), F(ii), 147, 148, 149, 504 and 427 P.P.C of PS Shahpur Chakar, after his bail plea has been declined by the learned Additional Sessions Judge, Shahdadpur vide order dated 12.09.2025.

2. The details and particulars of the F.I.R are already available in bail application and the F.I.R, as such, need not to reproduce the same hereunder.

3. Per learned counsel, the applicant/accused is innocent and the complainant has falsely implicated the applicant in the commission of offence. He further contended that co-accused persons have already been granted bail by this Court and the applicant is also entitled for grant of bail on the rule of consistency. He further contended that the applicant is not a previous convict and there is no likelihood of absconding or tampering with the prosecution evidence; the applicant is in jail and no more required for further investigation. Lastly, he prayed for grant of bail to the applicant/accused.

4. Notice issued was issued to the complainant but he is called absent. However, learned Assistant Prosecutor General vehemently opposed for grant of bail to the applicant/accused and states that the applicant has used sharp side hatchet blows to Shahid Ali at his head and said injuries declared by the Doctor falling under sections 337-A(ii) P.P.C and the applicant has remained fugitive from law for one year.

5. Heard and perused.

6. From the perusal of the record, it transpires that the name of the applicant finds mention in the F.I.R. with a specific role attributed to him. It is alleged that on the day of the incident, he, along with co-accused persons, duly armed with a hatchet, pistol, iron rods, and lathis, appeared at the place of occurrence and assaulted PW Shahid Ali. The particular role assigned to the applicant is that he inflicted a hatchet blow, using the sharp side, upon the head of Shahid Ali, which constitutes a vital part of the body.

7. As per the medical certificate, the injuries sustained by Shahid Ali have been declared by the Medical Officer to fall within the ambit of sections 337-A(i), 337-F(i), 337-A(ii), and 337-F(ii), P.P.C. The medical evidence thus corroborates the ocular account. The prosecution witnesses, in their depositions, have consistently supported the version put forth by the complainant. Moreover, it is on record that subsequent to the registration of the F.I.R., the applicant remained absconding from law for a period of one year, despite having knowledge of the pendency of the case against him.

8. At the stage of deciding a bail application, only a tentative assessment of the material on record is warranted. In the present case, sufficient material exists to connect the applicant/accused with the alleged offence. No mala fide or ill-will has been attributed to the complainant by the applicant/accused.

9. In view of the foregoing, learned counsel for the applicant/accused has failed to make out a case warranting the grant of bail. Accordingly, the bail application filed on behalf of the applicant/accused is **dismissed**. However, trial court is directed to expedite the matter and conclude the same within 60 days and submit such compliance report through Additional Registrar of this Court.

10. The observations made in this decision are of a tentative nature and will not influence the merits of the case.

JUDGE