

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

Criminal Bail Application No.S- 1010 of 2025

Dated of hearing: 13.10.2025.

Date of Order: 13.10.2025.

Syed Shahzad Ali Shah, Advocate for applicant.

Mr. Abdul Shakoor Keerio, Advocate for complainant.

Mr. Irfan Ali Talpur, A.P.G for State alongwith IO / ASI
Abdul Hakeem Palari PS Hatri, Hyderabad.

O R D E R

JAWAD AKBAR SARWANA, J:- Through instant bail application, applicant/accused Arsalan Aijaz Soomro seeks post-arrest bail in Crime No.212/2025 registered at P.S Hatri, Hyderabad, for offences u/s 324, 506(2), 504, 147, 148, 149, 337-A(i), F(i) PPC as his earlier bail application for the same relief was declined by the learned Ist Additional Sessions Judge / MCTC, Hyderabad.

2. The details and particulars of the F.I.R. are already available in the bail application and F.I.R.; the same could be gathered from the copy of F.I.R. attached with such application, hence there is no need to reproduce the same hereunder.

3. Heard counsels. It appears from the documents available on record that the applicant / accused was one of the co-accused in FIR No.212/2025. It was alleged that the present applicant, having a hockey stick in his hand, had attempted to cause injury to the complainant / injured persons. It transpires that one Ali Baloch (Khoso), having a Danda, was also accused of the same crime; however, in another Criminal Bail Application No.S-1000/2025, Ali Baloch (Khoso) was granted bail by the High Court vide Order dated 29.09.2025. Hence, on the ground of consistency, as both Ali Baloch (Khoso) and Arsalan were carrying a

Danda and a hockey stick respectively, both being sticks of like nature, a case is made out based on consistency of further inquiry and concession of bail to be granted to the applicant/accused, i.e. Arsalan Aijaz.

4. It is apparent from the record that first Ali Baloch (Khosro) and Arsalan were allegedly carrying sticks in their hands, which apparently caused injuries; however, it remains to be determined how the injury was caused and on which part of the body. There is also no clarity on the recovery of the hockey sticks. All this information is still missing from the record, making the case a subject of further inquiry, as well.

5. Furthermore, the FIR was lodged on 10.07.2025, almost two days after the incident, without furnishing any cogent or plausible explanation. This also makes the case one for further inquiry.

6. Moreover, the charging sections are allailable except for Sections 324 and 506(2) PPC, and given the facts and circumstances discussed hereinabove, whether Section 324 PPC is attracted to the case in hand is also a matter which can only be determined after recording evidence.

7. Surprisingly, the complainants and the injured/victim appeared and recorded their no objection and also submitted their affidavits of no objection stating that they had resolved the matter amicably with Zain Shah, who was allegedly having a pistol in his hand and Ali Balouch (Khosro), having a danda. Such a concession was extended to the co-accused of the same FIR, may well disturb the prosecution theory, and potentially diminish the likelihood of conviction, which is also a material consideration while deciding bail under Section 497 Cr.PC.

8. Learned A.P.G. also supported the stance of the counsel for the applicant and submits that a case for further inquiry is made out.

9. For the foregoing reasons, I had granted bail to the applicant / accused vide my short order dated 13.10.2025, and the above are the reasons for the short order granting concession of post-arrest bail in terms of the Order dated 13.10.2025 reproduced herein below:

“For reasons to be recorded, a case for further inquiry has been made out. Accordingly, instant bail application is allowed and the applicant, Arsalan Aijaz Soomro is granted post arrest bail in Crime No.212/2025 registered at P.S. Hatri Hyderabad for offences u/s 324, 506(2), 504, 147, 148, 149, 337-A(I), F(I) PPC, subject to his furnishing solvent surety in the sum of Rs.50,000 (Rupees Fifty Thousand only) and P.R. Bond in the link amount to the satisfaction of the learned trial Court”

10. It is clarified that the observations made hereinabove are purely tentative in nature and shall not prejudice the case of either party during the course of trial.

JUDGE

Tufail