

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS

Crl. Bail Application No.S-281 of 2025

Applicant: Lal Bux s/o Khamiso Laghari.
Through Mr. Dilip Kumar Kolhi, Advocate.

Respondent: The State.
Through Mr. Neel Parkash, Deputy P.G.

Complainant: Ali Nawaz s/o Wariyam (Present in person).

Date of Hearing: 09.12.2025

Date of Order: 09.12.2025

ORDER

Shamsuddin Abbasi, J: Through this Bail Application, the applicant/accused Lal Bux seeks pre-arrest bail in Crime No.97/2025 for offences under sections 506(ii), 504, 337-A(i), 337-F(i) and 34 P.P.C of PS Jhudo, after dismissal of his bail plea by the learned Additional Sessions Judge-II, Mirpurkhas, vide order dated 13.10.2025.

2. It is alleged in the FIR that applicant caused lathi blow to complainant on his face and back side.

3. Learned counsel for the applicant submits that injuries sustained by the complainant are declared under sections 337-A(i) & 337-F(i) PPC, which are bail able offences; that there is dispute between the parties at landed property; that there is delay of two days in lodgment of FIR without any plausible explanation. Lastly, he prayed for confirmation of pre-arrest bail.

4. Complainant present in Court shown his confidence over learned D.P.G and he opposed for the grant of bail on the ground that there is recorded enmity between the parties and applicant has repeated this offence, therefore, he is not entitle for grant of bail.

5. Heard learned counsel for the applicant, learned D.P.G, complainant in person and perused the material available on record.

6. Admittedly, there is delay of two days in the lodgment of FIR without plausible explanation. Injuries sustained by the injured/complainant are declared as Shajjah-i-Khafifah and Ghayr-Jaifah Damiyah, which are bail able and offence does not fall within the ambit of the prohibitory clause of

Section 497 Cr.P.C., and in such like cases grant of bail is a rule and refusal is an exception, as held by the Honourable Supreme Court in case of Muhammad Tanveer v. The State **PLD 2017 SC 733**.

7. In view of the above, the instant bail application is allowed, and the interim pre-arrest bail earlier granted to the applicant vide order dated 16.10.2025 is hereby confirmed on the same terms and conditions.

8. The observations made here-in-above are tentative in nature and would not prejudice the case of either party at the trial.

The application stands disposed of.

JUDGE

Adnan Ashraf Nizamani