

HIGH COURT OF SINDH CIRCUIT COURT MIRPURKHAS

Criminal Bail Application No.S-370 of 2025

<><><><>

Applicants: (i) Azam alias Astoo s/o Mehar.
(ii) Imtiaz Ali s/o Karim Bux.
Through Mr. Afzal Karim Virk, Advocate.

Respondent: The State
Through Mr. Dhani Bakhsh Mari,
Assistant Prosecutor General Sindh.

Complainant: Muhammad Farooq s/o Muhammad
Mubeen. (called absent).

Date of Hearing: 18.02.2026

Date of Order: 18.02.2026

<><><><>

O R D E R

Miran Muhammad Shah, J-: Through instant bail application, the applicants/accused namely Azam alias Astoo and Imtiaz Ali seek post-arrest bail in Crime No.83 of 2025 for offence under Sections 324, 337-A(i), 337-F(i), 337-H(ii), 337-A(iii), 337-A(iv), 504, 34 PPC R/w section 7 ATA registered at PS Sinjhoro, after dismissal of their bail plea by the learned Additional Sessions Judge-I/MCTC, Sanghar, vide order dated 29.10.2025.

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. Learned counsel for the applicants/accused submits that the applicants/accused are innocent and have been falsely implicated in the present case; that the FIR was registered with the delay of three and half hours without any plausible explanation; that the present

applicants/accused were not available at the place of incident; that the memo of alleged place of incident does not support the version of FIR as neither the police found any blood marks nor any empty was recovered from the alleged place of incident; that nothing was recovered from the possession of the applicants/accused; that the statement of PW Abdul Aziz was recorded after the lapse of six days without any explanation; that as per prosecution case the alleged incident occurred in front of shop of Mustafa Shaikh, but he is not witness in this case; that the sections 324, 337-A(iii) and 337-A(iv) requires further inquiry and the applicants/accused are entitled for the concession of bail. Lastly, he prayed for the grant of bail.

4. Conversely, learned A.P.G has vehemently opposed the grant of bail to the applicants/accused on the ground that the applicants/accused have actively participated in the commission of the offence and caused serious injuries to the injured/victim and they are not entitled to the concession of bail.

5. The notice upon the complainant was served, but he has chosen not to appear before this Court.

6. I have heard the learned counsel for the applicants/accused and learned A.P.G for the State and perused the record.

7. After hearing the arguments of learned counsel for the applicants/accused and learned A.P.G, it transpires that there was a well-planned attack upon the complainant party by the accused persons, who were armed with deadly weapons and carrying hatchets with them to commit the offence against the complainant. The role of the applicants/accused is specifically mentioned in the FIR, wherein it is alleged that while carrying hatchets, they used the sharp side of hatchets and caused head injuries to the victim. The medico-legal certificate placed

before this Court also reflects that sharp and hard weapon injuries were received by the victim, who sustained multiple injuries. Since the punishment provided for the sections alleged in the FIR falls within the prohibitory clause of Section 497 Cr.P.C., the case does not call for further inquiry at this stage.

8. In these circumstances, the applicants/accused have failed to make out their case for grant of bail and the instant bail application is hereby dismissed. However, the matter is already fixed for evidence before the learned trial Court and the learned trial Court is directed to conclude the trial within the period of two months and submit such report before this Court through Additional Registrar of this Court.

9. 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