

HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

Cr. Bail Application No.S-929 of 2025

[Shahzad Nabi vs. The State]

Applicant by : Mr. Malik Bux Mari advocate
Complainant by : Nemo
State by : Mr. Altaf Hussian Khokhar D.P.G
Date of Hearing : **30.03.2026**
Date of Decision : **30.03.2026**

ORDER

SYED FIAZ-UL-HASSAN SHAH, J:- The applicant has been booked in Crime No.185 of 2024 registered at P.S Bhattae Nagar Hyderabad for offences punishable under Sections 324, 336, 504 and 34 PPC on the charges that the applicant was riding a motorbike and his accomplice co-accused Raju caused firearm injury to the victim Abdul Ghani.

2. Learned counsel for the applicant contends that though the name of the applicant is mentioned in FIR but he has not been assigned any specific role; besides the FIR has been registered with the considerable delay of four days, therefore, the matter falls within the ambit of further inquiry as such the applicant may be enlarged on bail.

3. Despite the fact that today the matter is fixed as date-by-Court, the complainant and his counsel are called absent without intimation; whereas learned Deputy Prosecutor General supported the impugned Order and alleged that the applicant is also involved in more than 16 other cases. This contention has been controverted by the applicant's counsel by producing copies of judgments and submits that the applicant has been acquitted in 11 cases.

4. Arguments heard and record perused.

5. It appears that the name of the applicant has been mentioned in FIR, however, with the sole role that he was riding a motorbike when co-accused caused firearm injury victim. No specific role has been attributed to the present applicant/accused except an abettor of principal accused Raju. Besides the gunshot injury to victim has not been caused on any vital part of the body and the crime is unseen one. Even as per contents of the FIR, the complainant received the information about the incident and he is not witness of the occurrence. The four days delay in registration of the FIR cannot rule out the doctrine of consultation and false implication and it is yet to be decided by the trial Court after recording evidence that as to how and in what manner the complainant came to know about the name of present applicant/accused.

6. In views of the above, the applicant/accused has successfully made out a case for further inquiry. Accordingly, the applicant/accused is enlarged on post-arrest bail in present crime, subject to furnishing a solvent surety in the sum of Rs.1,00,000/- (Rupees One Lac Only) and a P.R Bond in the like amount to the satisfaction of trial Court. The trial Court shall not influence with any finding recorded above which are tentative in nature and shall decide the case in accordance with law.

Instant bail application stands disposed of accordingly.

JUDGE