

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

**Crl. Bail Application No.S-222 of 2026**

*(Sajjad vs. The State)*

**Applicant** : Sajjad son of Wali Muhammad  
Through Mr. Dilawar Hussain Panhwar, Advocate.

**Respondent** : The State  
Through Mr. Ghulam Abbas Dalwani, D.P.G.

**Date of hearing** : 21.10.2026

**Date of Order** : 21.10.2026

### **ORDER**

**NISAR AHMED BHANBHRO, J:** Through the instant bail application, applicant Sajjad seeks post-arrest bail under Section 497 Cr.P.C in F.I.R bearing Crime No.03 of 2026, for offences punishable under Sections 302, 504, 34 PPC recorded at police station, Mehran. His earlier application for post arrest bail was declined by the learned Additional Sessions Judge-I, Mirpurkhas vide order dated 27-04-2026 in Criminal Bail Application No.388 of 2026.

2. Notice of the bail application was issued to the learned A.P.G Sindh and the complainant. On 06.07.2026 complainant appeared and sought time to engage counsel, thereafter, none has affected appearance on behalf of the complainant.

3. Per prosecution story, there was altercation between the parties over the issue of wife of the present applicant namely Rizwana and the applicant had suspicion that she was with complainant party. On the fateful day, when the complainant party was going to their home from city and reached near Nawabshah railway crossing ring road, Mirpurkhas, the present applicant alongwith other accused namely Ayaz Ali & Sajjad Ali Mari came there. The present applicant was driving the white colour Van and on arrival they hurled abuse upon the complainant party. Co-accused Ayaz Ali fired upon deceased Shaman Ali who fell down by crying and after the incident deceased was shifted to hospital where he was pronounced dead. Complainant appeared at P.S and recorded F.I.R.

4. Learned counsel for the applicant contended that applicant/accused was shown to have lathi and no specific role has been assigned to him and fire was

made by co-accused Ayaz Ali and his vicarious liability is yet to be determined after recording of evidence at trial, therefore, case requires further inquiry at this stage. He prayed for grant of bail.

5. Learned D.P.G for state controverted the submissions and argued that applicant/accused allegedly facilitated the co-accused by bring them in Van and he was in direct conflict with the complainant party over the issue of his wife and there are reasonable grounds to believe that applicant/accused is connected with the commission of crime, therefore, prayed for dismissal of the bail application.

6. I have heard the learned counsel for the applicant/accused as well as learned D.P.G for the State and have perused the material available on record. Per prosecution's case, wife of the applicant went missing, whereupon the applicant had an altercation with the deceased Shaman Ali, who informed him that his wife was residing with Sajjad Mari. On this issue, the applicant allegedly extended threats of death and dire consequences to the deceased Shaman Ali. The record further reveals that on the fateful day, the applicant brought co-accused in Van No.R-1142 to the place of occurrence. The said van was also recovered from his possession during the investigation. These circumstances, when tentatively assessed in light of the available material, prima facie connect the applicant with the alleged facilitation of the co-accused in the commission of the murder of the deceased. At this stage, it cannot be concluded that the applicant had no intention to commit the alleged offence against the deceased Shaman Ali. Consequently, the instant bail application is devoid of merits and is hereby dismissed accordingly.

7. Needless to observe that the findings and observations recorded herein are purely tentative in nature and confined to the disposal of the instant bail application. The learned trial Court shall decide the case strictly on the basis of the evidence brought before it, independently and without being influenced by any observation contained in this order.

**JUDGE**

“Chander Kumar”