

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS

Crl. Bail Application No.S-503 of 2026

(Umed Ali @ Waqar vs. The State)

Applicant : Umeed Ali @ Waqar son of Mir Muhammad
Through Mr. Rashid Ali Khan, Advocate.

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

Date of hearing : 23.10.2026

Date of Order : 23.10.2026

ORDER

NISAR AHMED BHANBHRO, J: Through the instant bail application, applicant Umeed Ali @ Waqar son of Mir Muhammad seeks post-arrest bail under Section 497 Cr.P.C in F.I.R bearing Crime No.99 of 2026, registered at police station Khahi for offences punishable under Sections 324, 353, 34 PPC. His earlier application for post arrest bail was dismissed by the learned Additional Sessions Judge, Khipro, vide order dated 08.09.2026 in Criminal Bail Application No.335 of 2026, whereafter he invoked the jurisdiction of this Court.

2. The facts of the case are mentioned in the FIR and needs no repetition in compliance of Hon'ble Apex Court judgment in PLD 2014 SC 458.

3. Learned counsel for the applicant contended that the applicant is innocent and has been falsely implicated in this case. He contended that all sections are bailable except Section 324 PPC, but the same has been misapplied only to make the case non-bailable, which requires further inquiry. He contended that during the firing, no person or vehicle received a scratch and nothing was recovered from the possession of the applicant. He contended that all the PWs are police officials and that no independent witness has been cited by the prosecution, although the place of incident is a very busy road. He prayed for the grant of bail to the applicant/accused; however, learned D.P.G. opposed the grant of bail to the applicant/accused.

4. Heard arguments and perused the material available on record. It is the case of the prosecution that the applicant sustained an injury at the hands of his

accomplices, but no one from the police sustained injury. The applicability of Section 324 PPC is yet to be determined after recording the evidence at trial. Learned D.P.G when confronted to the factual position on record failed to controvert. Consequently, the applicant Umeed Ali @ Waqar has make out case for bail and accordingly admitted to post-arrest bail, subject to his furnishing solvent surety in the sum of Rs. 30,000/- (Rupees Thirty Thousand), together with a personal recognizance bond in the like amount, to the satisfaction of the learned trial Court.

5. 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”