

**IN THE HIGH COURT OF SINDH CIRCUIT COURT
HYDERABAD**

Criminal Bail Application No.S-1153 of 2025

Applicant : Mubarak Ali @ Mubarak through
Mr. Rafique Ahmed Laghari, Advocate.

State : Through Mr. Altaf Hussain Khokhar, D.P.G.

Date of Hearing : 24.11.2025

Date of Order : 24.11.2025

O R D E R

ARSHAD HUSSAIN KHAN, J:- Through the instant Cr. Bail application, the applicant/accused seeks pre-arrest bail in Crime No.19 of 2025 registered at Police Station Missan, Tando Allahyar under Section 324, 452, 354, 436, 506/2, 147, 148, 149, 504, 337-H(ii), 337-A(i), 337-F(i) PPC. Earlier, the applicant/accused had approached the trial Court by filing Cr. bail application No.797 of 2025 but the same was dismissed vide order dated 18.09.2025.

2. The details and particulars of the FIR are already available in the bail application, and the same may be gathered from the copy of the FIR attached to this application. Hence, there is no need to reproduce them here.

3. The learned counsel for the applicant/accused, *inter alia*, contended that the applicant/accused is innocent and has been falsely implicated in this case by the complainant; that the case of applicant is identical to that of co-accused who have already been granted bail by this Court vide order dated 10.10.2025 passed in Cr. Bail Application Nos.S-616 & 626 of 2025, as such on the ground of rule of consistency the applicant is also entitled for the same relief.

4. On the other hand, the learned D.P.G contends that since the co-accused have already been granted bail by this Court as such on the point of rule of consistency, he has recorded his no objection for grant of bail to the applicant.

5. I have heard the arguments of learned counsel for the respective parties and perused the material available on record.

6. From the record it appears that co-accused have been granted bail by this Court vide order dated 10.10.2025 passed in Cr. Bail Applications Nos.S-617 & 626 of 2025 and the case of the applicant is similar to that of co-accused as such he is also entitled for the same relief. Per learned counsel, the only allegation against the present applicant is that he along with co-accused has trespassed into the house of the complainant party and caused them injuries however, it is yet to be seen as to whether the offence has been committed unless the evidence is to be recorded. In these circumstances, the case of the applicant/accused falls within the ambit of sub-section (2) of section 497 Cr.P.C. Learned counsel for the applicant/accused has pleaded malafide on the part of the complainant for false implication of the applicant/accused in this case which cannot be ruled out, therefore, the bail application is allowed. Consequently, the interim pre-arrest bail granted to the applicant/accused by this Court vide order dated 22.09.2025, is hereby confirmed on the same terms and conditions.

7. Needless to mention, the observations made hereinabove are tentative in nature and shall not influence the learned trial court while deciding the case on its merits.

8. Before parting, I would like to make it clear that if the applicant misuses the concession of bail in any manner, then the Trial Court is fully authorized to take every action against the applicant and his surety including cancellation of bail without making any reference to this Court. Office is directed to communicate this order to the trial Court for information and compliance.

JUDGE

Hafiz Fahad