

# IN THE HIGH COURT OF SINDH AT KARACHI

Spl. Cr. Misc. Application 763 of 2024 : FBR vs. Asif Razaq Deenar  
For the Applicant/s : Mr. Ameeruddin, Advocate  
Date/s of hearing : 10.09.2024  
Date of announcement : 10.09.2024

## ORDER

**Agha Faisal, J.** 1. Granted. 2, 3 & 4. The applicant ("FBR) has assailed the order/s dated 29.03.2024, rendered by the Court of Special Judge (Customs Taxation & Anti-Smuggling) Karachi in Case no 140 of 2024. The impugned order/s grant post arrest bail to the respondent accused and the present proceedings seeks cancellation of the same.

Learned counsel for the applicant did not endeavor to set forth any case for the concession of bail having been misused, thus far; and / or that any reservation in such regard had ever been escalated before the trial court. The submissions were with respect to the merits of the criminal case, however, the same are best decided by the trial court itself and merited no indulgence here.

The impugned order/s succinctly encapsulate the grounds for grant of bail and no exception in such regard has been demonstrated before this Court. The contentions of the respective parties appeared to have been adequately discussed and it could not be demonstrated that the impugned order could not have been rested on the rationale relied upon.

The order sheet also demonstrates the presence of the Special Public Prosecutor. The trial is stated to be under process and regardless of the fate thereof no case has been articulated to preclude the accused from the benefit of bail for the tenancy thereof. The learned trial Court is empowered to regulate the custody of the accused and appears to have done so. There is no suggestion that the concession of bail has been misused, thus far. Since no infirmity could be demonstrated in so far as the impugned order is concerned, hence the same merits no interference by this Court. This Special Criminal Miscellaneous Application is found to be devoid of merit, hence, dismissed in *limine*.

Judge