

IN THE HIGH COURT OF SINDH, AT KARACHI

Cr. Bail Application No. 962 of 2025

Applicant : Bilal s/o Imam Bux, through
Mr. Mallag Assa Dashti, Advocate.

Respondent : The State, through Mr. Mumtaz Ali Shah,
A.P.G.

Date of hearing : 29.04.2025

Date of order : 29.04.2025

ORDER

ZAFAR AHMED RAJPUT, J:- Through instant Criminal Bail Application, applicant/accused Bilal s/o Imam Bux seeks post-arrest bail in Crime No. 157/2024, registered at P.S. CTD, Karachi under section 11-N, 11-F and 21(i) of the Anti-Terrorism Act, 1997 (the “Act ”). His earlier application for the same relief bearing No. 58 of 2025 was dismissed by the learned Anti-Terrorism Court No. XII, Karachi, vide order dated 09.04.2025.

2. Brief facts of the case, as per F.I.R. lodged on 30.11.2024 by Inspector Umar Farooque of CTD Intelligence Wing Karachi, are that during interrogation of accused Muhammad Javed, arrested in Crime No. 142/2024 registered at PS CTD Karachi under section 302/324/353/186/427 34, PPC read with section 7-11-F/21(i) of the Act & section 3/4 of the Explosive Substance Act, 1908, it revealed that proscribed organization BLA (Majid Brigade) through its master-mind Commander Bashir Ahmed Baluch @ Bashir Zeb and Abdul Rehman Gul planned to arrange terror funding and commit an act of terrorism through their accomplice suicide attacker Shah Fahad. In order to get their design done, on 03.09.2024, Shah Fahad purchased a Toyota Hilux Vigo, Registration No. KN-0375 for Rs.71,00,000/- from Aamir Hameed Arain, owner of Al-Harm Autos Mobiles, situated at Main Khalid Bin Waleed Road, PECHS, Block No.02, Karachi, he made part payment of Rs.10,000/- and got the balance amount transferred through his University’s fellow Bilal, a Business Developing Bank

Officer, posted at Meezan Bank (*Applicant*) in the account of Aamir Hameed Arain bearing No.0102544691. On 05.09.2024, the said vehicle was got transferred in the name of Shah Fahad, who loaded the vehicle with explosive substances and committed offence recorded vide F.I.R No. 142/2024, with the help of his accomplices (1) Master Mind Commander Bashir Ahmed Baloch (2) Abdul Rehman alias Rehman Gul (3) Business Developing Bank Officer, Bilal (4) Saeed Ali and other unknown accused persons; for that they were booked in the aforesaid F.I.R.

3. Learned counsel for the applicant has contended that the applicant is innocent and has falsely been implicated in this case with mala fide intention and ulterior motives; that the applicant was working in Meezan bank limited Hub Chowki as Operational Manger and was implicated in this case falsely; that there is no evidence available with the prosecution to prove that the applicant had knowledge that Shah Fahad was involved in any act of terrorism or anti-state activities; that nothing incriminating has been recovered from the possession or pointation of the applicant; that the applicant is confined in judicial custody since his day of arrest and police has submitted challan; hence, his custody is no more required by the police for further investigation; that the guilt of applicant requires further inquiry; as such, he is entitled to the concession of bail.

4. Concisely, learned A.P.G. has opposed the grant of bail to applicant on the ground that the applicant is involved in terror financing with the co-accused, who committed several acts of terrorism including suicidal attack and sufficient evident is available with the prosecution to connect him with the commission of alleged offence; hence, he is not entitled to the concession of bail.

5. We have heard learned counsel for the applicant as well as learned APG and perused the material available on record with their assistance.

6. It appears from the perusal of the record that the instant F.I.R. was lodged on 03.11.2024; the applicant was arrested on 09.12.2024; thereafter, he was remanded to judicial custody. Police submitted the interim challan on 22.04.2024, after about four months without even filing an application under section 344, Cr. P.C. The allegation against the applicant is that he facilitated Shah Fahad, (*a suicide attacker died in suicide attack reported under Crime No. 142 of 2024*) by transferring part payment of sale price of vehicle used in alleged suicide attack from the Bank Account of Saeed Ali to the account of showroom owner Aamir Hameed Arain. It is an admitted position that the applicant was serving as Business Developing Bank Officer in Meezan Bank and the transaction is from an account to another account, which is neither secret nor from the personal account of the applicant; hence it is yet to be seen at the trial if the applicant belongs or profess to or solicits support for a proscribed organization within the meaning of section 11F of the Act and/or aided or abetted any offence to attract section 21I of the Act, and/or the alleged act of the applicant comes within the term of "terror financing". The alleged offence under section 11-N of the Act carries lesser punishment of five years and up to ten years. It is settled law that for the purpose of bail, the lesser punishment is to be considered.

7. For the forgoing facts and reasons, we are of the considered view that the applicant has *prima facie* made out a good case for grant of post-arrest bail. Hence, he is admitted to post-arrest bail subject to his furnishing solvent surety in the sum of Rs. 2,00,000/- (Rupees Two Lac Only) and P.R. Bond in the like amount to the satisfaction of the Trial Court.

Above are the reasons of our short order dated 29.04.2025.

JUDGE

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