

IN THE HIGH COURT OF SINDH, AT KARACHI
Cr. Bail Application No. 1581 of 2025

Present Before:
Justice Zafar Ahmed Rajput
Justice Miran Muhammad Shah

Applicant	:	Saeed Ali s/o Abdul Ghaffar Khan, through Mr. Mamoon A.K. Shirwany, Advocate.
Respondent	:	The State, through Mr. Muhammad Iqbal Awan, Addl. P.G. -----
Date of hearing	:	05.08.2025
Date of order	:	05.08.2025 -----

ORDER

ZAFAR AHMED RAJPUT, J:- Through instant Criminal Bail Application, applicant/accused Saeed Ali s/o Abdul Ghaffar Khan seeks post-arrest bail in Crime No. 157/2024, registered at P.S. CTD, Karachi under sections 11-N, 11-F and 21-I of the Anti-Terrorism Act, 1997 (“Act”). His earlier application for the same relief bearing No. 20 (XII) of 2025, filed in Special Case No. 47 of 2025, was dismissed by the Anti-Terrorism Court No. XII, Karachi, vide order dated 13.06.2025.

2. Brief facts of the case, as per FIR 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, P.P.C. 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 (“Hilux”) 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 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 (*applicant*) and other unknown accused persons; for that they were booked in the FIR.

3. Learned counsel for the applicant contends that the applicant is innocent and has falsely been implicated in this case by police due to ulterior motives; that neither the applicant sent the amount through account in question nor the said account was in the name of the applicant; that the forensic analysis report of verification of signature and handwriting of applicant with reference to cash deposit slip is not positive and the same does not match with hand writing and signature of the applicant; that co-accused Bilal, who was the Business Developing Bank Officer, Meezan Bank, has been enlarged on bail by this Court vide order dated 29.04.2025 passed in CrI. Bail Application No. 962/2025 and the case of the applicant is on better footings; as such, he is entitled to the concession of bail on 'rule of consistency'; that nothing incriminating has been recovered from the possession or pointation of the applicant; that the guilt of applicant requires further inquiry; hence, he is entitled to the concession of bail.

4. On the other hand, learned Addl. P.G. opposes the grant of bail to applicant on the ground that the applicant is involved in terror financing to terrorist Shah Fahad who, on 06.10.2024, committed suicidal attack at the convoy of Chinese national outside Jinnah International Airport; that sufficient evidence is

available with the prosecution to connect the applicant with the commission of alleged offence; hence, he is not entitled to the concession of bail.

5. Heard the learned counsel for the applicant as well as learned Addl. P.G. and perused the material available on record with their assistance.

6. It appears from the perusal of the record that the applicant maintains his bank account in the name of "Al-Saeed Traders" in Meezan Bank, Hub Chowki Branch ("**Bank Branch**"). On 04.09.2024, he along with co-accused Bilal, who was serving as Business Developing Bank Officer in the Bank Branch, appeared before Niaz Ahmed, Branch Manager and deposited Rs. 71,00,000/- in the account of Aamir Hameed Arain, the owner of Al-Haram Motors, maintained in the Meezan Bank, Khalid Bin Walid Road Branch on behalf of Shah Fahad. Thereafter, Shah Fahad obtained delivery of the Hilux on the same day from the said show-room, and got the Hilux transferred on his name on the next day and then on 06.10.2024, he committed suicidal attack at the convoy of Chinses national outside Jinah International Airport. As such, the allegation against the applicant is that he facilitated Shah Fahad by transferring part payment of sale price of vehicle, used in alleged suicide attack, from his Bank Account to the account of said showroom owner Aamir Hameed Arain.

7. So far the contentions of learned counsel for the applicant are concerned, no doubt, a forensic report is on record reflecting that the alleged cash deposit slip was filled by the co-accused Bilal, yet there is nothing on record that the same was filled by him without the consent of applicant. Even the applicant has not denied his appearance and availability in the Bank Branch on the alleged day. As regard the ground of 'rule of consistency', suffice it to say that the co-accused Bilal was admitted to bail by this Court considering the fact that he was serving as Business Developing Bank Officer in Meezan Bank and the transaction was from an account to another account, which was neither secret nor from his

personal account. The case of present applicant is therefore distinguishable. He deposited amount in the account of show room owner, *prima facie*, to facilitate Shah Fahad to purchase Hilux, which he used in a suicidal attack, which act of the applicant apparently comes within the ambit of "terror financing" and aiding and abetting an offence to attract section 21-I of the Act.

8. From the tentative assessment of the evidence on record, it appears that the prosecution has sufficient evidence against the applicant to connect him with the commission of alleged offence; therefore, he is not entitled to concession of bail; hence, this Criminal Bail Application is dismissed.

9. Needless to mention here that the observations made hereinabove by this Court are tentative in nature and the same shall not influence the Trial Court while deciding the case of applicant on merit.

JUDGE

JUDGE

Athar Zai