

IN THE HIGH COURT OF SINDH AT KARACHI

Criminal Bail Application No.2686 of 2026

a/w

Criminal Bail Application No.2592 of 2026

Applicants : 1. Tahir Aziz S/o. Abdul Aziz,
[in Cr.B.A No.2686/2026] 2. Adnan Haider S/o. Ghazanfar Ali
3. Muhammad Suleman
S/o. Hussain Bux
4. Shaikh Anis ur Rehman
S/o. Latif Buksh.
Through Mr. Asif ali Bango advocate

Applicant : Izhar ul Haq
[in Cr.B.A No.2592/2026] son of Salam ul Haq Qureshi
Through Mr. Sarosh Jamil advocate

The State : The State:
Through Mr. Muhammad Ahmed,
Assistant Attorney General,
Pakistan along with Investigation
Officer Aroze Ahmed, A.D, FIA,
AHTC.

Date of hearing : 08.09.2026.

Date of Order : 08.09.2026.

ORDER

Jan Ali Junejo, J:- By this common order, I intend to decide the above captioned bail applications, as they arise out of same FIR.

2. Through these Criminal Bail Applications, the Applicants 1) Tahir Aziz S/o. Abdul Aziz, 2) Adnan Haider S/o. Ghazanfar Ali, 3) Muhammad Suleman S/o. Hussain Bux and 4) Shaikh Anis ur Rehman S/o. Latif Buksh [in Cr. B.A No.2686/2026] and applicant Izhar ul Haq son of Salam ul Haq Qureshi [in Cr. B.A No. 2592/2026] seek post-arrest bail in FIR No. 210/2026 registered at Police Station FIA, AHTC, Karachi for offences under Sections 161/162/109 PPC R/w Section 5(2) PCA-II, 1949. The Applicants' earlier post-arrest bail applications in Case No. 28/2026 were dismissed by the learned Special Judge (Central-I), Karachi vide separate order dated 13.08.2026. Being aggrieved, the Applicants have approached this Court.

3. Concisely, the facts leading to the instant bail application as depicted in the FIR are that on 22.07.2026, FIA received reliable information regarding an organized network of agents operating outside the Regional Passport Office, South Branch, Saddar, Karachi, allegedly in collusion with Passport Office officials to facilitate expedited passport processing by bypassing the prescribed procedure in exchange for illegal gratification; pursuant thereto, a raid was conducted and four alleged agents, namely Muhammad Suleman, Adnan Haider, Tahir Aziz and Shaikh Anis ur Rehman, were apprehended, who allegedly disclosed that they charged Rs.500/- to Rs.1,000/- from applicants and paid Rs.500/- per passport to Passport Office officials Izhar ul Haq, DEO (BPS-15), and Ghulam Shabbir, Support Staff (BPS-6), for facilitating priority processing; during search, passport tokens, financial transaction slips, bank challans, visa extension forms, copies of CNICs and mobile phones were allegedly recovered, while the said officials, on being questioned, allegedly admitted their contact with the agents and their role in facilitating such applications by bypassing the official queue in consideration of illegal gratification, resulting in registration of the case against all six accused under Sections 161/162/109 PPC read with Section 5(2) of the Prevention of Corruption Act, 1947. Hence, the present FIR.

4. Learned counsel for the applicants in Cr. Bail Application No. 2686 of 2026 submits that the applicants are innocent and have been falsely implicated in the instant case; that the allegations are vague, general and omnibus, as no specific role, particular transaction, identified passport applicant, date, time, place or payment of illegal gratification has been attributed to any of the applicants; that the FIR neither discloses any private complainant nor identifies any person who allegedly paid Rs.500/- or Rs.1,000/- to the applicants, while the only passport token referred to therein is in the name of M. Saleem and is not connected with any applicant; that the prosecution case primarily rests upon the alleged disclosures made during preliminary interrogation, which, in the absence of independent corroboration, cannot constitute substantive incriminating evidence against the applicants or establish their nexus with the alleged offence; that no independent witness, documentary material, electronic

record, bank transaction, marked currency or other tangible evidence has been produced to connect the applicants with the alleged payment of illegal gratification to the Passport Office officials; that mere recovery of mobile phones and ordinary documents does not establish their incriminating contents or connection with the alleged offence; that the essential ingredients of the offences alleged, including the specific overt act, criminal intent and necessary nexus with any corrupt act, are not prima facie established, thus rendering the matter one of further inquiry; that all alleged evidence and recovered articles are in the custody of the prosecution and there is no likelihood of tampering with the evidence, while the applicants are no longer required for further investigation and are in judicial custody; and that, the applicants having no previous conviction or criminal antecedents, the case calls for further probe and the concession of bail may be extended to them in accordance with law.

5. Learned counsel for the applicant in Cr. Bail Application No.2592 of 2026 submits that the applicant being a Data Entry Operator posted at the Regional Passport Office, Saddar, Karachi, is innocent and has been falsely implicated; that the prosecution has failed to attribute any specific role to him or produce any independent and corroborative material showing that he demanded, received, facilitated or participated in the alleged illegal gratification, and his implication is primarily based upon the alleged disclosure of co-accused, which has no evidentiary value in the absence of independent corroboration; that the applicant has no authority to issue or reject passports and his duties are confined to making entries on the basis of CNIC particulars, whereas the final processing and issuance of passports rests with the competent higher official; that neither the FIR nor the interim challan specifies any particular transaction, applicant, amount, benefit or act of connivance attributable to him, nor was any private complaint or witness produced against him; that the alleged offence occurred on 22.07.2026 whereas the FIR was lodged on 23.07.2026 after an unexplained delay, creating doubt in the prosecution case; that the applicant has an unblemished service record, no previous criminal antecedents, is no longer required for investigation as the challan has been submitted, and there is no possibility of his absconding or tampering with

the evidence, which remains in the custody of the prosecution; that the essential ingredients of the alleged offences, including criminal intent and nexus with any corrupt act, are not prima facie established and the matter, therefore, calls for further inquiry within the meaning of Section 497(2), Cr.P.C.; hence, the applicant is entitled to the concession of post-arrest bail.

6. Conversely, the learned Assistant Attorney General, assisted by the Investigating Officer, opposes the grant of bail. He contends that the alleged offences involve corruption and forgery, which are serious in nature and strike at the integrity of public service. He further contends that offences of such nature undermine public trust and have serious repercussions for the economy, therefore requiring a strict approach. Lastly, the learned AAG prayed for dismissal of the bail applications.

7. I have heard the learned counsel for the applicants, learned Assistant Attorney General assisted by the Investigating Officer, and have gone through the material available on record with their able assistance.

8. The allegations against the applicants, as reflected from the FIR and the interim challan, primarily relate to their alleged involvement in facilitating expedited processing of passports in collusion with officials of the Passport Office in consideration of illegal gratification. However, at this stage, the prosecution has not been able to point out any specific transaction, particular passport applicant, date, time, place or amount of illegal gratification allegedly demanded, received or paid by any of the applicants. Likewise, no marked currency, bank transaction, electronic communication or other independent documentary evidence has been brought on record connecting the applicants with the alleged corrupt practice.

9. The prosecution case, insofar as the present applicants are concerned, substantially rests upon the alleged disclosures made during the preliminary inquiry/interrogation. Such disclosures, particularly when not supported by independent and legally admissible corroborative material, require cautious consideration at the stage of bail and cannot, by themselves, furnish sufficient grounds for continued incarceration. The

mere recovery of passport tokens, copies of CNICs, mobile phones, bank challans or other documents, without prima facie establishing their incriminating nexus with the alleged offence, is also insufficient to connect the applicants with the commission of the alleged offences.

10. Insofar as applicant Izhar ul Haq is concerned, although he was posted as a Data Entry Operator at the Regional Passport Office, no specific overt act has been attributed to him demonstrating that he demanded or received illegal gratification or knowingly facilitated any particular passport applicant in violation of the prescribed procedure. His mere official position, without independent material establishing his conscious participation in the alleged corrupt transaction, cannot by itself justify withholding the concession of bail. The question whether his official functions were actually misused in furtherance of the alleged offence is a matter which can appropriately be determined after recording of evidence at trial.

11. The applicants/accused have been booked in this case under Section 161/162/109, PPC read with Section 5(2) of the PCA, 1947, though these offences are not bailable, but their punishments are also do not fall within the prohibitory clause of Section 497, Cr.P.C., therefore, grant of bail in such circumstances is a rule as held by the Hon'ble Supreme Court of Pakistan in its various pronouncements and its refusal an exception. No exceptional circumstances appear in this case to withhold the bail of the applicants/accused. Even otherwise, on merits, as stated above, the applicants/accused have made out a case for bail. When confronted these aspects of the case to learned Assistant Attorney General for reply, he has no satisfactory answer with him.

12. For the foregoing reasons, these Criminal Bail Applications are allowed. The Applicants 1) Tahir Aziz S/o. Abdul Aziz, 2) Adnan Haider S/o. Ghazanfar Ali, 3) Muhammad Suleman S/o. Hussain Bux and 4) Shaikh Anis ur Rehman S/o. Latif Buksh [in Cr. B.A No.2686/2026] and applicant Izhar ul Haq son of Salam ul Haq Qureshi [in Cr. B.A No. 2592/2026] are admitted to post-arrest bail in FIR No. 210/2026 registered

at Police Station FIA, AHTC for offences under Sections 161/162/109 read with Section 5(2) PCA-II, 1949, subject to their furnishing solvent surety in the sum of Rs. 50,000/- (Rupees Fifty Thousand only) *each* and a PR Bond in the like amount, to the satisfaction of the learned trial Court.

13. It is, however, observed that the findings recorded herein are tentative in nature, made solely for the purpose of deciding the present bail applications, and shall not prejudice the case of either party during the course of trial.

JUDGE