

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

Criminal Bail Application No.S-421 of 2025

Applicant: Saddam Hussain S/o Ahmed Khan through
Mr. Deedar Hussain Solangi, advocate.

The State: Through Mr. Shamsuddin Junejo, Deputy
Attorney General a/w SIP Syed Mohsin, the
Investigation Officer

Date of Order: 23.06.2025.

ORDER

Muhammad Osman Ali Hadi, J – Through the instant bail application, the applicant/accused above-named seeks post-arrest bail in Crime No.23/2024, U/s 3, 4 of AML Act, 2010 Amended (2020) r/w Section 109 PPC, registered at Police Station FIA AML Circle, Sukkur, after his bail plea has been declined by learned Special Judge Anti-Corruption (Central), Hyderabad, vide order dated 29.01.2025.

2. The details and particulars of the FIR are already available in the bail application and FIR, which are attached with such application, and hence need not be reproduced hereunder, for the sake of brevity.

3. Learned counsel for the applicant submits that the applicant has been granted bail in the predicate case bearing Crime No.14 of 2023 of FIA Crime Circle, Hyderabad, registered U/S. 419, 420, 467, 468, 471, 109, 34 PPC r/w Section 5(2) PCA 1947. He submits that applicant is accused of taking funds from persons and not distributing them, but has been keeping them for himself. He submits that there is no single victim or victim's statement on record and that this enquiry is being conducted by the FIA on their own volition. He submits that the applicant was not called for any enquiry, nor given any complaint or other such notice about the allegations leveled against him, but simply the present FIR (available at Page No.29) was registered against him under Sections 3 & 4 of AML Act, 2010. He contends that since there has been no formal victim or any person who has come forth and made a complaint, at least concession of bail should be granted in favour of applicant subject to final outcome of trial which is pending. He contends that applicant has

already been in judicial custody and behind the bars for 03 months, and therefore, he is entitled for concession of bail.

4. Learned D.A.G appearing on behalf of F.I.A vehemently opposes to grant of bail and states that prior enquiry was conducted and applicant was given an opportunity to appear, but he failed to do so after which the said action was taken by the F.I.A. He further submits that this form of embezzlement is a disaster for society, and public funds are at stake. However, when he was asked as to whether any victim or victim's statement is available on record, he has answered in the negative. He further submits to let the trial proceed and after outcome of the same, the matter may be resolved but he states that applicant is not entitled to grant of bail at this stage.

5. After hearing the learned counsel for the parties and perusing the material made available on record, I found that it is an accepted position that no victim's statement or complaint is available on record. During course of arguments, I asked learned D.P.G to provide any law to show why bail should be refused to the applicant, which the learned D.P.G was unable to do. Furthermore, it is an admitted position that applicant has already been granted bail in the predicate case (referred to) and that he is not a danger to society, or in any other way can be harmful to the public at large. It is also relevant to mention that the applicant/accused has been charged U/S. 3 and 4 of AML Act, 2010 which deal with finance which was received through proceeds of crime. When learned D.A.G and Officer of the F.I.A were asked to show which proceeds of crimes the accused was dealing with, they were unable to do so.

6. In the light of the foregoing, a case for grant of post-arrest bail is made out. Accordingly, this bail application is allowed. The applicant is admitted to post-arrest bail, subject to furnishing a solvent surety in the sum of Rs.100,000/- (Rupees One Lac) and PR bond in the like amount to the satisfaction of the learned Trial Court.

7. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the learned trial Court while deciding the case on merits.

J U D G E