

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH AT KARACHI**

**Cr. Bail Application No.525 of 2023**

Date	Order with signature of Judges
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FOR HEARING OF BAIL APPLICATIONS.

MUNEER HUSSAIN .....VS.....THE STATE

**26.04.2023.**

Mrs. Farzana Mateem, Advocate for the Applicant.

Mr. Ali Haider Saleem, Addl. Prosecutor General Sindh.

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***Mohammad Karim Khan Agha, J.*** Applicant Muneer Hussain has been booked in FIR 669 of 2022 u/s.353/324/34 PPC r/w Section 7 ATA, 1997 registered at PS Taimoria, Karachi. Initially applicant approached the learned trial court i.e. Anti-Terrorism Court No.X, Karachi for post arrest bail, however his application for post arrest bail was declined vide order dated 22.11.2022. Hence the applicant approached this Court for post arrest bail.

2. Brief facts of the case as per prosecution are that on 09.06.2022 while police party headed by ASI Fazal Ghani posted at PS Taimooria, Karachi along with his subordinate staff were on patrolling they saw two persons on motorcycle in suspicious condition and when they signaled the motorcycle to stop it failed to do so. Subsequently the persons riding on the motorcycle fired on police party and in return police also made fire upon them resultantly both the persons on bike became injured and fell down on the road from the motorcycle, thereafter police arrested them with one fire arm which was recovered from co-accused Naveed and nothing was recovered from the present accused Muneer Hussain.

3. Final challan has now been submitted and the charge has been framed to which the applicant has pleaded not guilty and claim false implication in this case by the police.

4. We have heard the parties and perused the record.

5. We have noted that in fact this is the case of ineffective firing and during firing no injury was caused to any of the police officers nor the police vehicle was hit by any bullet. We

also note that the case of the applicant Muneer Hussain is on different footing from co-accused Naveed. Whereas a fire arm was recovered from co-accused Naveed and not the applicant.

6. Under these circumstances we find that this is a case of further inquiry in respect of Applicant Muneer Hssain and as such the Applicant Muneer Hussain son of Arsahd Hussain is granted post arrest bail subject to furnishing his solvent surety in the sum of Rs.2,00,000/- (Rupees Two Lacs) and P.R. bonds in the like amount to the satisfaction of the Nazir of this Court.

7. It goes without saying that this order is based only on a tentative assessment of the available record and shall have no bearing on the trial which shall be decided on merits based on the evidence produced before the trial Court.

8. Trial Court is directed to complete the trial of the aforesaid case within 03 months of the date of this order. Copy of this order shall be sent through facsimile to learned Judge Anti-Terrorism Court No.X, Karachi for compliance.

9. The Criminal Bail Application stands disposed of in the above terms.

**JUDGE** **JUDGE**