

## IN THE HIGH COURT OF SINDH AT KARACHI

Present:

**Mr. Justice Muhammad Faisal Kamal Alam**  
**Mr. Justice Amjad Ali Sahito**

Criminal Bail Application No.1935 of 2026

Applicant : Rameezuddin S/o Azizuddin  
through Mr. Sajjad Farooq, Advocate

Respondent : The State  
through Mr. Muhammad Iqbal Awan,  
Addl. P.G. Sindh a/w PI/I.O. S.M.  
Modassar Shahid, CTD

Date of hearing : 10.07.2026

Date of order : \_\_\_\_ .07.2026

### **ORDER**

**AMJAD ALI SAHITO, J** -- Through this Bail Application, applicant/accused seeks post-arrest bail in Crime No.93/2025 registered under Sections 353, 324, 186, 34 PPC R/w Section 7 ATA of PS SIU/CIA, Karachi, after his bail plea has been declined by the learned Judge, Anti-Terrorism Court No.VII, Karachi vide order dated 08.05.2026

2. The detailed facts of the case are already available in the bail application as well as FIR, therefore, the same need not to be reproduced hereunder.

3. Learned counsel for the applicant primarily contended that the applicant is innocent and has falsely been implicated in this case; that no specific role has been attributed against the present applicant as to how he was involved in the commission of offence. It was argued that during the police encounter, no police personnel sustained any injuries,

and only one co-accused suffered a firearm injury and subsequently succumbed to death, however, it is yet to be determined whose gunfire caused gunshot injury; that all the witnesses are police officials which is clear violation of Section 103 Cr.P.C.; that the applicant has already been granted bail in main case of demanding Bhatta bearing Crime No.142/2025 of PS Iqbal Market; as such, on the rule of consistency he is entitled to the concession of bail. He has filed a statement alongwith certified copy of the Order dated 04.05.2026 passed by learned Judge, Anti-Terrorism Court No.VII, Karachi whereby he was granted bail in FIR No.142/2025 of PS Iqbal Market.

4. Conversely, the learned Additional Prosecutor General, Sindh, vehemently opposed the grant of bail and contended that the applicant/accused was apprehended during a police encounter and is also involved in other cases of a similar nature. However, when confronted with the fact that the applicant/accused had already been admitted to bail in the main case relating to the alleged demand of bhatta, the learned law officer failed to furnish any satisfactory explanation in that regard.

5. We have heard the learned counsel for the parties at considerable length and have carefully examined the material available on the record.

6. From perusal of the record reveals that, on the day of the incident, the complainant, ASI Muhammad Younus, along with subordinate police officials, was on patrol within the jurisdiction of Police Station Surjani Town when he received telephonic information from Inspector Syed Muhammad Mudasar Shahid of the SIU. The information conveyed that an accused arrested in Crime No. 142/2025 registered at Police Station Iqbal Market, namely Waqas Ali son of Sadiq Ali, had disclosed during interrogation that he, along

with his associates, had previously opened fire at the residence of complainant Arif Khan in order to intimidate him over non-payment of bhatta and intended to repeat the said act on that very night. Acting upon such information, the complainant activated his spy informer, who subsequently informed him that five armed suspects riding motorcycles were present near Al Ghafoor Residence on the Main Road within the limits of Police Station Surjani Town.

7. Thereupon, the police party immediately proceeded to the pointed location and attempted to apprehend the suspects. Upon noticing the police, the suspects allegedly resorted to firing with the intention of committing the murder of the police officials, which was retaliated by the police party. During the ensuing exchange of fire, one of the suspects, subsequently identified as Fayyaz son of Abdul Rasheed, sustained a bullet injury and fell from the motorcycle, whereas his companion succeeded in escaping from the scene. The police also apprehended another accused, namely Rameezuddin son of Azizuddin, who disclosed the names of the absconding accomplices as Azeem alias Azmi, Bilal, and Adnan. During the personal search of the injured accused Fayyaz, one 9 mm pistol loaded with live rounds was allegedly recovered, while another 9 mm pistol along with five live bullets was allegedly recovered from the possession of accused Rameezuddin. As the accused persons failed to produce any valid licence for the said weapons, the same were taken into possession and sealed at the spot.

8. Learned counsel for the applicant/accused primarily contended that the applicant had been nominated in the main case, i.e., FIR No. 142/2025, for offences punishable under Sections 384, 385, and

34, P.P.C., read with Section 7 of the Anti-Terrorism Act, 1997. It was further submitted that after submission of the police report under Section 173, Cr.P.C., the applicant/accused filed a post-arrest bail application before the learned trial Court, which was allowed vide order dated 04.05.2026. According to the learned counsel, the grant of bail in the main case renders the present matter one of further inquiry within the meaning of Section 497(2), Cr.P.C. In support of his contention, he produced a certified true copy of the order dated 04.05.2026, which is taken on the record.

9. Furthermore, all the prosecution witnesses are police officials and, therefore, there appears to be no likelihood of the applicant tampering with the prosecution evidence. It is also an admitted position that none of the members of the police party sustained any injury during the alleged exchange of fire; rather, the only person who sustained fatal injuries was stated to be the co-accused. It is by now well settled that, at the bail stage, the Court is required to undertake only a tentative assessment of the material available on record, and any deeper appreciation or detailed examination of the evidence is not permissible. The applicant has remained in custody since his arrest, is no longer required for further investigation, and his continued detention would not improve the case of the prosecution.

10. In the foregoing circumstances, the case of the applicant/accused falls within the ambit of further inquiry as contemplated under subsection (2) of Section 497, Cr.P.C. Consequently, the learned counsel for the applicant has succeeded in making out a case for the grant of post-arrest bail. Resultantly, the instant bail application is allowed, and the applicant/accused is admitted to bail subject to

furnishing solvent surety in the sum of Rs.100,000/- (Rupees One Lac only) and a personal recognizance bond in the like amount to the satisfaction of the learned trial Court.

11. 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 of the applicant on merits.

**JUDGE**

**JUDGE**

Kamran/PS