

**IN THE HIGH COURT OF SINDH AT KARACHI.**

Cr. Bail Appln. No. 60 of 2026.

Applicant : Muhammad Akram through Syed Farhat Hussain Naqvi, Advocate.

Respondent : The State through Ms. Rubina Qadir, Addl. P.G.

Date of hearing : 16.3.2026.

Date of order : 16.3.2026.

**ORDER.**

**TASNEEM SULTANA, J.** — Through this Criminal Bail Application, the applicant, Muhammad Akram, seeks post-arrest bail arising out of Crime No. 204/2025, registered under Section 23 (i) (a) of the Sindh Arms Act, 2013 at Police Station Airport, Karachi. After rejection of his earlier Criminal Bail Application No. 6299/2025 by the learned Additional Sessions Judge-II, Karachi, vide order dated 29.12.2025, hence this application for the same concession.

2. Brief facts of the prosecution case are that on 22.12.2025 at about 05:20 hours, SI Abdul Raheem, while performing duty at ASF Jinnah Terminal, Karachi, intercepted the applicant who was intending to travel from Karachi to Muscat by Salam Airline Flight No. OY-514. Upon scanning and search of his trolley bag, one 9MM pistol along with two loaded magazines was recovered from his possession. On demand, the applicant failed to produce any valid arms licence, whereupon he was apprehended and the instant FIR was registered.

3. Learned counsel for the applicant contended that the applicant is innocent and has been falsely implicated with mala fide and ulterior motives; that private witnesses were not associated with the recovery proceedings in violation of Section 103, Cr.P.C., despite the alleged recovery having been effected at the airport, which is a public place; that, in fact, the weapon was not recovered from the applicant and the alleged recovery of the firearm was foisted upon him following an exchange of heated words between the applicant and ASF personnel during luggage checking; and the CCTV footage or photographic evidence was not brought on record to corroborate the alleged recovery; thereby rendering the case one calling for further inquiry within the meaning of Section 497(2), Cr.P.C. In support of his contentions, learned counsel for the applicant placed reliance on ***Muhammad Abid Hussain v. The State and another (2025 SCMR 721)***.

4. Conversely, the learned A.P.G. opposed the bail application and submitted that the applicant was apprehended red-handed at a highly sensitive public installation with an unlicensed firearm, and that sufficient incriminating material is

available on record connecting him with the alleged offence; and that he is not entitled to the concession of bail.

5. Heard. Record perused.

6. The allegations against the applicant are that he was apprehended at Jinnah International Airport, Karachi, and a 9MM pistol along with two loaded magazines was recovered from his possession, for which he could not produce any valid arms licence. Prima facie, such recovery from his possession at an International Airport, being a highly sensitive public installation, connects him with the commission of the alleged offence. The nature of recovery and the place of occurrence add to the gravity of the matter. Mere denial of the recovery and allegations of false implication, in the absence of any independent corroboration, are not sufficient to extend the concession of bail at this stage.

7. As regards the contention concerning non-association of private mashirs under Section 103, Cr.P.C., it is settled law that non-association of independent witnesses, though a factor to be considered at trial, does not ipso facto entitle an accused to bail, particularly where the recovery is effected by law enforcement officials and otherwise discloses prima facie material. No exceptional circumstances have been shown to discard the testimony of official witnesses at this stage. The plea of false implication on account of mala fide on the part of ASF personnel and the alleged foisting of recovery are questions of fact which require deeper appreciation of evidence and are to be determined at trial; such exercise is not warranted at the bail stage.

8. So far as the reliance placed by learned counsel for the applicant on ***Muhammad Abid Hussain v. The State and another (2025 SCMR 721)*** is concerned, the same is of no assistance to the applicant, as the facts and circumstances of the cited case are distinguishable on material particulars from those of the case in hand. The applicant has failed to demonstrate that the ratio of the cited judgment is applicable to the peculiar facts of the present case.

9. In view of the above facts and circumstances, it appears that sufficient prima facie material is available on record to connect the applicant with the commission of the alleged offence. The applicant has failed to make out a case of further inquiry within the meaning of Section 497(2), Cr.P.C. Consequently, the instant bail application is dismissed. These are the reasons for my short order dated 16.03.2026.

10. Needless to mention that the observations made herein are tentative in nature and shall not influence the merits of the case at trial.

**JUDGE**