

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI.**

**Cr. Bail Appl No.3030 of 2025**  
**(Akber Zaman Vs. The State)**

**16.12.2025**

Mr. Mutawali Khan Afridi, Advocate for applicant.  
Mr. Ali Haider Saleem, Addl. P.G.

**ORDER**

**MUHAMMAD IQBAL KALHORO J:** Applicant Akber Zaman is seeking pre arrest bail in Crime No.12/2016 U/s 6,9-C, CNS Act, 1997 registered at P.S. Iqbal Market. He was admitted to interim pre arrest bail vide order dated 04.11.2025 and today matter is fixed for confirmation of his interim pre arrest bail or otherwise.

2. As per brief facts, a police team of P.S. Iqbal Market on 21.02.2016 spotted a suspicious car near main road Mehmoodia Chowk, Raja Tanveer Colony, Orangi Town, Karachi with two persons available therein. When police tried to approach the car, one person sensing presence of police around escaped whereas the other person, whose name later transpired as Malik Ihsan, was apprehended. From search of the car, 35 KGs of Charas was recovered and the apprehended accused disclosed the person who escaped from the spot to be the present applicant namely Akber Zaman, hence he was booked in this case.

3. Applicant's counsel has argued that the applicant has been falsely implicated in this case; nothing has been recovered from him and his name has been introduced in the case on the statement of co-accused, which is not admissible.

4. On the other hand, learned Addl. P.G. has opposed bail to him and submits that the applicant is a habitual offender; there are two other cases of identical nature registered against him in past; more so he was declared absconder, did not join investigation and he was present at the spot but had escaped.

5. We have heard the parties, perused record and are of a view that the applicant is not entitled to the extra ordinary concession of pre arrest bail for the reasons that he was present at the spot in the car but had made his escape good realizing presence of police around him. It is not a simple case where co-accused has disclosed name of applicant to be either supplier or receiver of the

Narcotics but a case in which applicant's presence at the spot is prima facie reinforced by statements of witnesses u/s 161 Cr.P.C. More so, during investigation applicant did not appear before the police and even did not join the trial although the proceedings u/s 87 & 88 Cr.P.C were taken against him and finally he was declared proclaimed offender. The concession of pre arrest bail, meant to protect innocent persons, is not attracted in the circumstances.

6. Accordingly, this bail application is dismissed. The ad-interim pre arrest bail granted to the applicant is hereby recalled.

The observations made hereinabove are tentative in nature and would not prejudice case of either party at trial.

The Cr. bail application stands disposed of in the above terms.

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