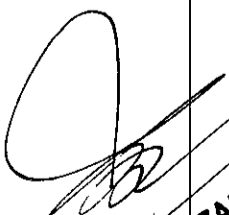


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IN THE COURT OF ADDITIONAL SESSIONS JUDGE/JUDGE SPECIAL COURT
ORAKZAI, AT BABAR MELA

BA No. 118/4 of 2021
Khan Sharif etc. Vs State

Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Order	14/10/2021	<p>Mr. Noor Mir Jan advocate for accused/petitioners; Mr. Amir Shah APP for State are in attendance.</p> <p>2. This is the disposal of Post arrest bail application presented by accused/petitioners Khayal Sharif son of Syed Hanif, resident of Qum Shekhan tappa Bazid Khel Mir Mela District Orakzai and Hidayat Ullah son of Abdul Janan resident of Qum Ali Khel Tappa Jasrat Khel District Orakzai.</p> <p>3. Mr. Imtiaz Khan SI/IC NET and other Police Officials of Police Station Daboori, Orakzai were reportedly available on barricade. Khayal Sharif son of Syed Hanif and Hidayat Ullah son of Abdul Janan were coming towards the Check post while riding on Motorcycle. On suspicion, they were searched and 05 packets measuring 1100 grams each with total of 5500 grams of chars were found in possession of both the accused/petitioners. Criminal Law was brought into motion against the accused and resultantly, FIR bearing No. 15 dated: 05/10/2021 was registered against the accused/petitioners by attracting Section 9-D of the KP Control of Narcotics Substances Act, 2019 in Police Station Daboori of District Orakzai. The accused/petitioners were arrested on spot who were later on remanded to Judicial Lockup. Consequently, application for release of accused/petitioners on bail is presented which is under consideration.</p> <p>4. Learned counsel for accused/petitioners and learned Assistant Public Prosecutor for State were heard at length and file gone through.</p> <p>5. This is tentative assessment of record available on file as deep appreciation of case file is neither required nor</p>


SAYED FAZAL WADOOD
Addl. District & Sessions Judge
Orakzai at Hangu

warranted at this stage. The accused/petitioners were allegedly carrying chars on their Motorcycle and were arrested on the spot. The huge quantity of 5500 grams of chars were recovered from their direct and personal possession that have been supported with ocular evidence of the witnesses recorded on memorandum of recovery. The parcels separated for the purpose of examination through channel of Forensic Science Laboratory have promptly been sent. The huge quantity of chars apparently rules out the chance of false implication. The case of accused/petitioners are also falling within the ambit of prohibitory Clause of Section-497 of the Criminal Procedure Code, 1898. Arrest of accused/petitioners on the spot and recovery of huge quantity of chars connect the accused/petitioners with the commission of offence on its face and thus the Court is not inclined to extend them concession of bail.

6. For what has been discussed above, instant bail petition stands dismissed. File of this Court be consigned to District Record Room after its necessary completion and compilation within the span allowed for; whereas, copy of this Order be placed on record of Police to be returned accordingly.

7. Announced in open Court.



Sayed Fazal Wadood,
AD&SJ/JSC, Orakzai at Baber Mela