

4

IN THE COURT OF ASGHAR SHAH
SESSIONS JUDGE/JUDGE SPECIAL COURT, ORAKZAI
AT BABER MELA

Bail Application No : 49/4 of 2020
Date of Institution : 01.07.2020
Date of Decision : 07.07.2020

ARBAB HUSSAIN ETC. VS THE STATE

ORDER

DPP, Umar Niaz for State and Abid Ali Advocate for accused/petitioners present. Record received. Arguments heard and record gone through.

2. Accused/petitioners, Arbab Hussain and Abdul Wali seek their release on bail in case FIR No. 67, dated 29.06.2020 registered U/S 9 (d) CNSA at Police Station Lower Orakzai, wherein each of the accused is charged for having in his possession 2400 grams chars consist of two packets of chars each, each weighing 1200 grams (4800 grams total) recovered from their direct possession.

3. From the arguments and record available on file, it reveals that the FSL report is not available on the case file to determine the nature of substance recovered. Accused/petitioners after their arrest have gone through the process of

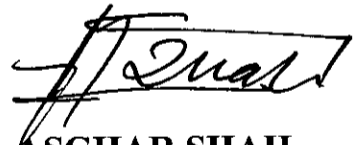
ASSISTANT
District & Sessions Judge
Orakzai
07.07.20
Abid Ali

5

investigation but neither they confessed their guilt nor anything incriminating recovered from their possession during the said period of investigation. No past criminal history either of involvement or conviction of the accused/petitioners was brought on record. As such further enquiry would be attracted to the case of accused/petitioners and their case is thus arguable for the purpose of bail.

4. Accordingly, for the reasons briefly mentioned above, bail petition in hand stand accepted and accused/petitioners are admitted to bail subject to furnishing bail bonds in the sum of Rs. 100,000/- with two sureties each, each in the like amount to the satisfaction of this court.
5. Police record be returned and file of this court be consigned to record room.

Announced
07.07.2020



ASGHAR SHAH
Sessions Judge/ Judge Special
Court, Orakzai at Baber Mela

07.07.20