

4

SAID ULLAH VS STATE

FIR no. 17, dated 01.05.2025, u/s 9(d) CNSA, PS Kurez Boya.

**IN THE COURT OF BAKHT ZADA ADDITIONAL SESSIONS JUDGE-
I, ORAKZAI AT BABER MELA**

Bail Application No : 59/04 of 2025
Date of Institution : 15.05.2025
Date of Decision : 19.05.2025

ORDER

19.05.2025

Sr. PP, Abul Qasim for the State present.

Accused/petitioner through counsel Mr. Sanaullah Khan Advocate present. Record received.

(2). Accused/petitioner, Said Ullah s/o Muhammad Jameel r/o Qoam Aka Khel District Khyber is seeking his post arrest bail in case FIR no. 17, dated 01.05.2025, u/s 9(d) CNSA of police station Kurez Boya, District Orakzai.

(3). Facts of the case are that complainant Mujahid Khan SHO PS Kurez Boya, sent a Murasila through constable Junaid Ali no. 1607 wherein it is alleged that on 01.05.2025, at 1400 hours, he along with constable Junaid Ali no. 1607, Baqir Ali no. 592 duly armed in official vehicle (Pick-up) under the custody of driver Farhad Ali no. 562 were present on the main road near Ghodz Dara for naka bandi, meanwhile two youngsters were stopped in suspicious condition and their body search was carried out, during which 06 packets of Chars, wrapped in yellow scotch tape were recovered from the two white colour waists sewed together and wearing by the accused under his shirt. On weighing


BAKHT ZADA
Addl: District & Sessions Judge-1,
Orakzai at Hangu

5
SAID ULLAH VS STATE

FIR no. 17, dated 01.05.2025, u/s 9(d) CNSA, PS Kurez Boya.

through digital scale, each packet was found to be 1000/1000 grams. 10/10 grams from each packet were separated and sealed into parcels No. 1, 3,5,7,9 and 11 for sending the same to FSL for chemical analysis. Remaining 06 packets of 990/990 grams were sealed into parcels No. 2,4,6,8,10 and 12. One seal of monogram "MK" was sealed in each parcel and 3/3 stamps of monogram "MK" were affixed on each parcel. Similarly, during body search of the other person 06 packets of Chars during which 06 packets of Chars, wrapped in yellow scotch tape were recovered from the two brown colour waists sewed together and wearing by the accused under his shirt. On weighing through digital scale, each packet was found to be 1000/1000 grams. 10/10 grams from each packet were separated and sealed into parcels No. 13,15,17,19,21 and 23 for sending the same to FSL for chemical analysis. Remaining 06 packets of 990/990 grams were sealed into parcels No. 16,18,20,22 and 24. Two white colour and two brown colour waists were sealed into parcel No. 25. Video of the spot was prepared by constable Junaid Ali No. 1607 through mobile phone, which was converted into USB, which is sealed into parcel No. 26. The accused disclosed their names as Muhammad Yaseen s/o Khan Muhammad and Said Ullah s/o Muhammad Jameel r/o Akha Khel, District Khyber. They were arrested. Recovery memo, card of

Junaid
19.5.25
BAKHT ZADA
Addl: District & Sessions Judge-1,
Orakzai at Harigu

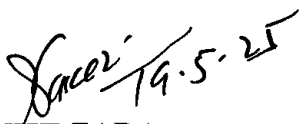
SAID ULLAH VS STATE

FIR no. 17, dated 01.05.2025, u/s 9(d) CNSA, PS Kurez Boya.

arrest along with Murasila were sent to PS through constable Junaid Ali for registration of FIR.

- (4). Arguments heard and available record perused. The allegations against the present accused/petitioner are that he was arrested while transporting 6000 grams of Chars. The recovery has been made by the seizing officer. The offence is against society at large. Previously, another accused namely Yassen was released on bail in the instant case, on the ground being juvenile, but the present/petitioner is major. The report shows that the video of the occurrence is also prepared at the spot. There is no ill will of the police against the accused/petitioner. therefore, I am not inclined at this stage to release him on bail. The instant bail petition is devoid of merits is hereby dismissed. Requested record be returned back to quarter concerned. Copy of this order be placed on police record while file of this court be consigned to record room.

Announced
19.05.2025


BAKHT ZADA
Additional Sessions Judge-I, Orakzai
at Baber Mela