Abdul Shakoor VS State

Order...01
15.03.2023

Bail Petition submitted through counsel Mr. Tajamul Hussain Bangash Advocate. Be entered in the relevant register.

Notice be issued to the concerned SHO to produce the relevant record on **16.03.2023**.

Sami Ullah
Judicial Magistrate-I/HQ,
Orakzai (at Baber Mela)

Order...02
16.03.2023

SPP for the state present. Counsel for the accused/petitioner present. Record already received.

The petitioner named Abdul Shakoor s/o Sunab Gul has applied for his post arrest bail in connection with case FIR No. 10 dated 11.03.2023 u/s 9(A) CNSA registered in PS Kuriz Lower Orakzai.

Arguments heard and file perused.

Perusal of the record reveal that accused/petitioner has been charged in the instant case with the allegations that police recovered 40 grams of opium (Afeem) from his possession. However, neither any FSL report is available on file nor any application to FSL has been forwarded, hence, at this stage it is not certain that whether the recovered item is opium (Afeem) or otherwise. Moreover, record shows that place of occurrence is public road and time of occurrence is day light but in spite of that no private and independent witness was associated with the recovery proceedings. Similarly, accused has neither confessed his guilt nor he is previous convict. So, all these facts and circumstance make the case of accused one of further inquiry.

For reason mentioned above, accused is entitled to the concession of bail at this stage, hence, application in hand is Accepted and accused/petitioner is released on bail subject to

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Civil Judge/JM-I
Orakzai at (Babar Mela)

(Continued...)

Order...02
Continued.
16.03.2023

furnishing of bail bonds to the tune of Rs: 80,000/- with two local sureties each in the like amount to the satisfaction of the court.

Copy of this order be placed on police record and file be consigned to record room. Record requisitioned be sent to quarter concerned.

ANNOUNCED
16.03.2023

Sami Ullah
Judicial Magistrate-I/HQ,
Orakzai at Baber Mela.