

(B)

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

Bail Application No : 77/4 of 2020  
Date of Institution : 11.12.2020  
Date of Decision : 12.12.2020

SYED HAMZA SHAH ETC. VS THE STATE

ORDER

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

2. Accused/petitioners, Syed Hamza Shah and Sajid Khan seek their release on bail in case FIR No. 124, dated 10.12.2020, U/S 9 (c) CNSA of Police Station Lower Orakzai Kalaya, wherein they are charged for having in their possession 300 grams Chars from each of the accused.

3. From the arguments and record available on file, it reveals that the offence carries punishment up to 7 years and as such would not attract the prohibitory clause of Section 497 Cr.P.C. The FSL report is not available to determine the nature of substance recovered. Accused/petitioners after their arrest have gone through the process of



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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. 50,000/- with two sureties each, each in the like amount to the satisfaction of this court. The prosecution is directed to submit complete challan of the accused within seven (07) days positively.
5. File be consigned to Session Record Room after its necessary completion and compilation.

**Announced**  
12.12.2020



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