

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

Bail Application No : 43/4 of 2020
Date of Institution : 05.06.2020
Date of Decision : 11.06.2020

DAWA GUL VS THE STATE

ORDER

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

2. Accused/petitioner, Dawa Gul seek his release on bail in case FIR No. 53, dated 29.05.2020 registered U/S 9(d) KP CNSA at Police Station Lower Orakzai Kalaya, wherein he is charged for having in his possession 07 packets chars each weighing 1260 gram (total 8820 grams).

3. From the arguments and record available on file, it reveals that accused/petitioner is directly and by name charged for the day light occurrence, which occurrence was promptly reported within 35 minutes. The accused/petitioner was red handedly arrested and huge quantity of contraband was recovered from his immediate possession. PWs

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support the version of the prosecution. Offence attracts prohibitory clause of 497 Cr.P.C. Thus, a prima facie case exists against the accused/petitioner and he is not entitled for the concession of bail in his favour. Accordingly, for the stated reasons, bail petition in hand stand dismissed being meritless.

- 4. File be consigned to Sessions record room after its necessary completion and compilation.

Announced
11.06.2020



ASGHAR SHAH

Sessions Judge/ Judge Special
Court, Orakzai at Baber Mela

11.06.20