

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

Bail Application No : 44/4 of 2020
Date of Institution : 10.06.2020
Date of Decision : 15.06.2020

SHER JAAN 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, Sher Jaan seek his release on bail in case FIR No. 21, dated 06.06.2020 registered U/S 9 (d) KP CNSA at Police Station Lower Orakzai Kalaya, wherein he is charged for having in his possession 05 packets chars weighing 4456 grams recovered from beneath the driving seat of vehicle no. ID/5427 being driven by the accused/petitioner.

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 10 minutes. The accused/petitioner was red handedly arrested and huge quantity of contraband was

[Signature]
15.6.20
ASGHAR SHAH
District & Sessions Judge
Orakzai Mangu

recovered from his immediate possession beneath his driving seat of the vehicle being driven and in exclusive possession of the accused/petitioner. PWs 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
15.06.2020



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