

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE-II/JUDGE SPECIAL
COURT ORAKZAI, AT BABAR MELA**

BA No. 09 of 2021

Zahir Khan etc Vs State

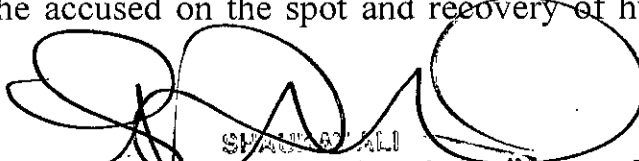
ORDER
15.01.2021

Learned counsel for accused/petitioners present. Mr. Javid Iqbal Anwar Sr.PP for State present.

Accused/petitioners Zahir Khan s/o Saleem Jan r/o village Torawari Thall District Hangu and Zarin Khan s/o Ayub Khan r/o Bara Qamber Khel Sppen Dhand District Khyber are seeking their post arrest bail in case FIR No.01 dated 01.01.2021 u/s 9-D CNSA, PS Upper Orakzai District Orakzai wherein the accused/petitioners are charged for the recovery of 5000/5000 grams chars from the possession of each accused.

Arguments of learned counsel for the accused/petitioners and learned Sr.PP for the State heard and available record perused.

The tentative assessment of record would transpire that the accused/petitioners were carrying chars in sacks on their shoulders who were arrested and chars were recovered from their personal possession. The accused/petitioners are charged for having in their possession a huge quantity of chars. The recovery of contraband from the possession of accused and their arrest on the spot is supported by the witnesses to the recovery memo. No ill-will was pointed out on the part of the complainant to falsely implicate the accused and to plant huge quantity of chars against the accused/petitioners in the instant case. The FSL report available on file also support the case of prosecution. Furthermore, the case of the accused/petitioners does fall within the prohibitory clause of 497 Cr.P.C. The arrest of the accused on the spot and recovery of huge quantity of


 SHAUKAT ALI
 Addl. District & Sessions Judge-II
 Orakzai at Hangu

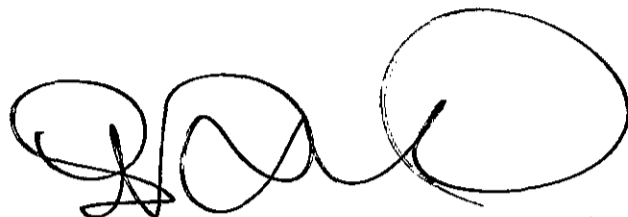
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narcotics prima facie connect the accused/petitioners with the commission of offence therefore this court is not inclined to release the accused/petitioners on bail.

In view of above, instant bail petition, being devoid of merits, stands dismissed.

File of this Court be consigned to record room after its necessary completion and compilation.

Announced
15.01.2021



(SHAUKAT ALI)
Additional Sessions Judge-II/JSC,
Orakzai at Babar Mela