

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

BA No. 39 of 2021

Muhammad Wazir Vs State

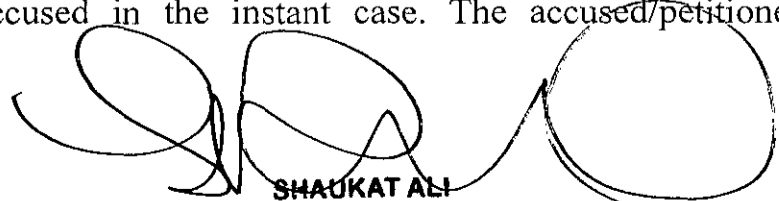
ORDER
25.03.2021

Mr. Abid Ali Advocate, learned counsel for accused/petitioner present. Syed Amir Shah, learned APP for State present.

Accused/petitioner Muhammad Wazir s/o Lal Hussain r/o Caste Shekhan Tappa Umar Zai District Orakzai is seeking his post arrest bail in case FIR No.32 dated 07.03.2021 u/s 9-D CNSA, PS lower Orakzai District Orakzai wherein the accused/petitioner is charged for recovery of chars weighing 6000 grams from his possession.

Arguments of learned counsel for the accused/petitioner and learned APP for the State heard and available record perused.

The tentative assessment of record would transpire that the chars weighing 6000 grams were recovered from the personal possession of the accused/petitioner which he was carrying in a plastic sack in his hand at Kuriz Check post where the accused/petitioner was stopped for search. The record shows that the samples separated for FSL are sent to the FSL within the prescribed time provided under the rules. There is nothing on record to show that there was any ill-will or enmity of the complainant with the accused/petitioner to falsely implicate the accused/petitioner and to plant such huge quantity of chars against the accused in the instant case. The accused/petitioner also


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

submitted application to DPO Orakzai for inquiry and on his application inquiry was conducted and the report was also produced before the court wherein the accused/petitioner was found involved in the commission of offence. The accused/petitioner on tentative assessment of record is prima facie connected with the commission of the offence. Furthermore, the case of the accused/petitioner does fall within the prohibitory clause of 497 Cr.P.C. Reasonable grounds exist to believe that the accused/petitioner is involved in the commission of offence, therefore this Court is not inclined to release the accused/petitioner 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
25.03.2021


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