

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

Bail Application No : 107/4 of 2021
Date of Institution : 06.04.2021
Date of Decision : 08.04.2021


MUHAMMAD ANWAR VS THE STATE

ORDER

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

2. Accused/petitioner, Muhammad Anwar seeks his release on bail in case FIR No. 02, dated 28.03.2021 registered U/S 9 (d) CNSA at Police Station Mishti Mela, wherein he is charged for having in his possession one sack containing four (04) packet chars, each packet weighing 1100 grams (total 4400) 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. The accused/petitioner was red handedly arrested and huge quantity of contraband was recovered from his immediate possession. PWs support the version


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



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 record room after its necessary completion and compilation.

Announced
08.04.2021



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