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

Bail Application No	:	108/4 of 2021
Date of Institution	:	07.04.2021
Date of Decision	:	13.04.2021

RAFI ULLAH VS THE STATE

ORDER

DPP, Umar Niaz for State and Abid Ali Advocate for accused/petitioner present. Record received. Arguments heard and record gone through. Inquiry report not received.

2.   Accused/petitioner, Rafi Ullah seeks his release on bail in case FIR No. 44, dated 04.04.2021 registered U/S 9 (d) CNSA at Police Station Kalaya Lower Orakzai, wherein he is charged for having in his possession blue colour plastic shoper containing 03 packets chars weighing 3000 grams in total.

3.   From the arguments and record available on file, it reveals that accused/petitioner as per his card of arrest is shown 16 years of age and is a juvenile as such. Moreover, the FSL report is not available on the case file to determine the nature of substance recovered. Accused/petitioner, after his arrest, has gone through the process of
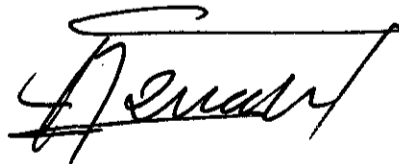
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investigation but neither he confessed his guilt nor anything incriminating recovered from his possession during the said period of investigation. No past criminal history either of involvement or conviction of the accused/petitioner was brought on record. As such, further enquiry would be attracted to the case of accused/petitioner and his case is thus arguable for the purpose of bail.

4.   Accordingly, for the reasons briefly mentioned above, bail petition in hand stand accepted and accused/petitioner is admitted to bail subject to furnishing bail bonds in the sum of Rs. 100,000/- with two sureties each in the like amount to the satisfaction of this court. Prosecution is directed to submit complete challan of the accused forthwith.

5.   File be consigned to record room after its necessary completion and compilation.

Announced
13.04.2021

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