

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

BA No. 61/4 of 2021

Shehzad Ali Vs State


ORDER
29.04.2021

Mr. Abid Ali Advocate counsel for accused/petitioner present. Mr. Umar Niaz DPP for the State present. Record received.

Accused/petitioner Shehzad Ali s/o Tajdar Ali r/o Caste Mani Khel Tappa Mast Ali Khel lower District Orakzai is seeking his post arrest bail in case FIR No.02 dated 31/03/2021 u/s 9-D KP-CNSA of PS Kurez, wherein the accused/petitioner is charged for throwing a sack from his Motorcycle on seeing the Police party containing chars weighing 4800 grams and thereafter decamped from the spot on his Motorcycle.

Arguments of the learned counsel for the accused/petitioner and learned DPP for the state heard and record perused.

The perusal of record would reveal that neither the accused/petitioner was arrested on the spot nor any recovery has been effected from the personal possession of the accused/petitioner as evident from the contents of Murasila. The accused/petitioner is charged that he had thrown the plastic sack on seeing the police party however there is nothing on record to show that the fleeing person throwing the sack containing chars was the accused/petitioner. Besides that neither the Motorcycle has been taken into possession nor the registration No. of the Motorcycle has been mentioned and the physical features of accused/petitioner are not given in the Murasila, hence the aforementioned facts makes the case of accused/petitioner one of further inquiry. Furthermore the accused/petitioner is first



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 Additional Sessions Judge-II,
 Orakzai

offender and there is no history of his involvement in such like cases. The investigation in the case is complete and the accused/petitioner is no more required for further investigation. In view of the peculiar facts and circumstances of the case the accused/petitioner has an arguable case for the grant of bail.

As sequel to the above discussion, bail application of accused/petitioner is accepted and he is directed to be released on bail subject to furnishing surety bonds in sum of Rs.100,000/- with two sureties each in the like amount to the satisfaction of this Court or MOD.

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

Announced
29.04.2021


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