

IN THE COURT OF SHAUKAT AHMAD KHAN  
SESSIONS JUDGE/JUDGE SPECIAL COURT, ORAKZAI  
AT BABER MELA

Bail Application No. : 139/4 of 2021  
Date of Institution : 28.06.2021  
Date of Decision : 01.07.2021

NIAZ WALI VS THE STATE

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ORDER

DPP, Umar Niaz for the State and Adnan Javed Afridi Advocate for accused/petitioner present. Record received. Arguments heard and record gone through.

2. Accused/petitioner, Niaz Wali s/o Lalbat Khan seeks his release on bail in case FIR No. 77, dated 20.06.2021 registered U/S 9 (d) KP CNSA at Police Station Kalaya Lower Orakzai, wherein, as per contents of FIR, the complainant alongwith other police officials on receipt of spy information regarding smuggling of huge quantity of chars from village Utman side towards Kohat via motorcycle bearing registration no. ED4053, laid a picket on the spot where at the time of occurrence, a person riding aforementioned motorcycle with a sack tied with the motorcycle came on the spot which was stopped for checking. The rider

  
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disclosed his name as Niaz Wali, the present accused/petitioner. The sack was unloaded from the motorcycle and on checking 08 packets chars, each weighing 1100 grams (total 8800 grams) were recovered.

3. From the arguments and record available on file, it reveals that accused/petitioner is directly nominated in the FIR with a huge quantity of chars recovered from his possession. Moreover, the offence for which the accused/petitioner is charged attracts prohibitory clause of section 497 Cr.P.C. Furthermore, sufficient material is available on file which reasonable connect the accused/petitioner with the commission of offence. Hence, the accused/petitioner is not entitled for the concession of bail at this stage. Accordingly, for the stated reasons, bail petition in hand stands dismissed being meritless. Consign.

**Pronounced**  
01.07.2021



**SHAUKAT AHMAD KHAN**  
Sessions Judge/ Judge Special Court,  
Orakzai at Baber Mela