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BA No. 71/4  
Khatir Khan VS State  
FIR No. 40, Dated 13.10.2023, u/s 9 (d) CNSA, PS Kurez Boya.

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


Bail Application No. : 71/4 of 2023  
Date of Institution : 27.10.2023  
Date of Decision : 31.10.2023

KHATIR KHAN VS THE STATE

ORDER

DPP, Umar Niaz for the State present. Clerk of the counsel for accused/petitioner present. He submitted written arguments. Placed on file. Record received and gone through in the light of arguments advanced by learned DPP for the state and the written arguments submitted by learned counsel for accused/petitioner.

2. Accused/petitioner, **Khatir Khan** s/o Almar Khan seeks his post-arrest bail in case FIR No. 40, dated 13.10.2023 registered U/S 9 (d) of the Khyber Pakhtunkhwa CNSA at Police Station Kurez Boya, wherein, as per contents of FIR, the local police acting on information regarding smuggling of narcotics from Shadal to Khyber via Double Cabin Dotson, laid a picket on the spot where a Double Cabin Dotson of white colour on way from Anjani was stopped for the purpose of checking. The driver of the vehicle was made

  
Shaukat Ahmad Khan  
District & Sessions Judge,  
Orakzai at Baber Mela

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come down who disclosed his name as Khatir Khan s/o Almar Khan, the present accused/petitioner, but nothing incriminating was recovered from his personal search. The search of the vehicle led the complainant to the recovery of 20 packets of chars wrapped with yellow colour scotch tape, each weighing 1000 grams, making a total of 20,000 grams from secret cavities. Hence, the present FIR.

3. It is evident from the record that the accused/petitioner is directly nominated in the FIR and the offence for which the accused/petitioner is charged, attracts the prohibitory clause of section 497 Cr.P.C. Moreover, sufficient material is available on file which reasonably 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:**

31.10.2023

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