

IN THE COURT OF SESSIONS JUDGE, ORAKZAI AT BABER MELA

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Case Title: Younas et al vs State

Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary.
1	2	3
<p>Order No.02</p>	<p>14.10.2021</p>	<p align="center">DPP, Umar Niaz for the State and Sana Ullah Khan Advocate for accused/petitioner. Accused/petitioners, Younis and Tariq Jaani on ad-interim pre-arrest bail present. Record received.</p> <p>(2). The above-named accused/petitioners seek confirmation of ad-interim pre-arrest bail in case FIR no. case FIR no. 106, dated 31.08.2021, u/s 9 (d) CNSA of PS Kalaya, wherein as per contents of FIR, the local police acting upon the information regarding smuggling of narcotics by the above-named accused/petitioners alongwith co-accused Khyber s/o Mela Khan via motorcycle, laid a picket on the spot where at about 1100 hours a motorcycle riding by three persons, on way towards the spot, on seeing the police party threw the plastic sack and made their escape good from the spot. The search of the plastic sack led the complainant to the recovery of 10 packets of chars, each weighing 1200 grams (total of 12000 grams of chars). Hence, the present case.</p> <p>(3). Arguments heard and record perused. Perusal of the case file shows that neither the accused/petitioners have been arrested on the spot nor the recovered chars have been shown made from the possession of the accused/petitioners. There is nothing available on file</p>

Shaukat Ahmad Khan
District & Sessions Judge,
Orakzai at Baber Mela
14/10/21

FIR no. 106, Dated 31.8.21, u/s 9 CNSA, PS Kalaya

(4)

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		<p>to show that as to how the complainant was able to identify or later on trace out the accused/petitioners. The prosecution failed to point out that as to what useful purpose of it would be served, if the accused/petitioners were committed to police custody except the probability of humiliation and unjustified harassment of the accused/petitioners at the hands of police.</p> <p>(4). Therefore, in the light of above, the bail petitioner in hand stands accepted and ad-interim pre-arrest bail earlier granted to the accused/petitioners stands confirmed on the strength of existing bail bonds.</p> <p><u>Pronounced:</u> 14.10.2021</p> <p style="text-align: right;"> (SHAUKAT AHMAD KHAN) Sessions Judge, Orakzai at Baber Mela</p>