

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

Bail Application No. : 194/4 of 2021
Date of Institution : 14.12.2021
Date of Decision : 18.12.2021

MUHAMMAD ISRAR ETC. VS THE STATE

ORDER

DPP, Umar Niaz for the State and Aurangzeb Khan Advocate for accused/petitioners present. Record received. Arguments heard and record gone through.

2. Accused/petitioners, Muhammad Israr and Khwag Muhammad seek their release on bail in case FIR No. 40, dated 12.12.2021 registered U/S 9 (d) KP CNSA at Police Station Ghiljo, wherein, as per contents of FIR, the local police during patrolling, after receipt of information regarding smuggling of narcotics via motorcycle, laid a picket on the spot where at the time of occurrence a motorcycle CG125 riding by two persons was stopped, the search of which led the complainant to the recovery of 05 packets of chars, each weighing 1010 grams, a total of 5050 grams of chars from beneath the seat of the motorcycle. The

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driver of the motorcycle disclosed his name as Israr while the person occupying the rear seat disclosed his name as Khwag Muhammad, the present accused/petitioners. Hence, the present FIR.

3. It is evident from the record that though the accused/petitioners are directly nominated in the FIR with recovery of huge quantity of chars but the recovery has not been effected from personal possession of either of the accused/petitioners rather from the motorcycle. Moreover, the fact that who amongst the accused/petitioners is the owner of motorcycle and chars, is a question which needs further inquiry. Furthermore, the report of FSL has not yet received as to confirm that whether the recovered substance is actually chars or otherwise.

4. Hence, in view of what is discussed above, the accused/petitioners are admitted to the concession of bail provided each of the accused/petitioners submit a bail bond in the sum of Rs. 400,000/- with two sureties, each in the like amount to the satisfaction of this court. Consign.

Pronounced

18.12.2021


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