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

Bail Application No.	:	10/4 of 2022
Date of Institution	:	29.01.2022
Date of Decision	:	02.02.2022

GUL SAEED VS THE STATE

ORDER

DPP, Umar Niaz for State and Khursheed Alam Advocate for accused/petitioner present. Arguments heard and record gone through.

2. Accused/petitioner, Gul Saeed s/o Ikhtiar Gul seeks his post arrest bail in case FIR No. 02, dated 27.01.2022 registered U/S 9 (d) KP CNSA at Police Station Dabori, wherein as per contents of FIR, on 27.01.2022 at about 1620 the local police during routine patrolling stopped a person on the basis suspicion. The personal search of the accused/petitioner led the complainant to the recovery of 01 packet of chars from trouser-fold of the accused/petitioner, weighing 1190 grams of chars. Hence, the present FIR.

3. It is evident from the record that though the accused/petitioner is directly nominated in the FIR and the recovery of chars has been made from personal possession of the accused/petitioner but the place of occurrence is a public place and the

occurrence has allegedly taken place during broad daylight but no effort has been made to associate any witness from the public with the process of search or recovery. Moreover, the FSL report is not available on file to show that whether the recovered contrabands were actually chars or otherwise. Furthermore, accused/petitioner, after his arrest, has gone through the process of investigation but he has neither confessed nor admitted his guilt.

4.   Accordingly, for the reasons mentioned above, bail petition in hand stands accepted and the accused/petitioner is admitted to the concession of bail provided he submits a bail bond in the sum of Rs. 100,000/- with two sureties each in the like amount to the satisfaction of this court. The sureties must be local, reliable and men of means. Consign.

Pronounced:
02.02.2022

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