

(b)

BA No. 1/4 of 2024
ULFAT ALI VS STATE
FIR No. 54, Dated 25.12.2023, u/s 9 (d) CNSA,
Police Station Kurez

IN THE COURT OF SYED OBAIDULLAH SHAH
SESSIONS JUDGE/JUDGE SPECIAL COURT,
ORAKZAI AT BABER MELA

Bail Application No. : 1/4 of 2024
Date of Institution : 03.01.2024
Date of Decision : 08.01.2024

ULFAT ALI VS THE STATE

ORDER

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

2. Accused/petitioner, **Ulfat Ali** s/o Asmat Ali seeks his post-arrest bail in case FIR No. 54, dated 25.12.2023, u/s 9 (d) CNSA of Police Station Kurez, wherein as per contents of FIR, the complainant Muhammad Younas SHO along with other police officials during routine patrolling laid a picket on the spot where at about 1520 hours a rider of a motorcycle on way from Zeera towards the picket, on seeing the police party tried to turn back and fell down besides tried to run away as well but he was over powered. A white colour bag was tied with the motorcycle with a rope which was searched by the complainant who recovered 20 packets of chars wrapped with yellow colour scotch tape, each packet weighing 1000 grams, making a total of 20,000 grams. Hence, the present FIR.

3. Learned counsel for the accused/petitioner argued that the accused/petitioner has falsely been implicated in the instant case to scot-free the actual culprit, that there is no previous history of the accused/petitioner in such like cases.


8/1/24
DISPATCHER
District & Sessions Judge,
Orakzai At Baber Mela

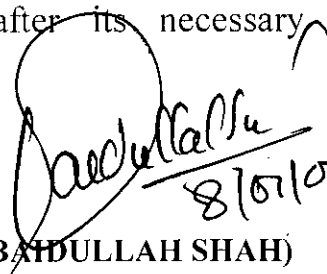
4. Learned DPP for the state put forward his arguments that the accused/petitioner was arrested on the spot for the commission of heinous offence and huge quantity of chars has been recovered from his possessions.

5. In the light of arguments advanced by the DPP and counsel for the accused/petitioner, record gone through which shows 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 CrPC. 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.

6. Order announced. File of this court be consigned to record room after its necessary completion and compilation.

Dated: 08.01.2024




(SYED OBAIDULLAH SHAH)
Sessions Judge/Judge Special Court,
Orakzai at Baber Mela