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

Bail Application No. : 44/4 of 2022
Date of Institution : 31.05.2022
Date of Decision : 02.06.2022

ANAR GUL VS THE STATE

ORDER

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

2. Accused/petitioner, Anar Gul s/o Ghairat Khel seeks his post-arrest bail in case FIR no. 15, dated 21.05.2022, u/s 9 (d) of the Khyber Pakhtunkhwa Control of Narcotic Substances Act of Police Station Dabori, wherein as per contents of FIR, the complainant alongwith other police officials having laid a picket were present on the spot where at about 1300 hours a person walking on foot was stopped whose personal search led the complainant to the recovery of 1300 grams of chars from his trouser-fold. 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 has been made from his personal

Shaukat Ahmad Khan
District & Sessions Judge,
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possession; however, 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 as to show that whether the recovered substance was actually chars or otherwise. Accused/petitioner, after his arrest, has gone through the process of investigation but he has neither confessed nor admitted his guilt, investigation in the instant case is complete and the accused/petitioner is no more required to the police for further investigation.

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 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.

5. Police record be returned and file of this court be consigned to record room.

Pronounced:
02.06.2022


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

