

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE/JUDGE SPECIAL COURT**

**ORAKZAI, AT BABAR MELA**

BA No. 80/4 of 2022  
State vs Gul Ahmed Khan

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
Order	25/08/2022	<p>Mr. Daniyal Khan Chamkani Advocate for accused/petitioner; Mr. Zubair APP for State are in attendance.</p> <p>2. This is the disposal of Post arrest bail application presented by accused/petitioner Gul Ahmed Khan son of Sabeel Khan resident of Qaum Zakha Khel, Tehsil Landi Kotal and District Khyber.</p> <p>3. Mr. Farooq Khan SHO along with other Police officials of Police Station Kalaya, Orakzai were available on barricade. A Motor Car of white color bearing registration No. LEB-1648 Lahore, Engine No. 2NZFE-1299 and Chassis No. NZE-1206047632 was stopped for searching purpose at barricade. One person was seated as a driver in the said Motor Car. He was deboarded and was searched. Nothing incriminating material was recovered from his personal possession. Later on, the vehicle was searched; 07 packets measuring 1100 grams each with total of 7700 grams from secret cavity made in the pillar of driver side and 07 packets measuring 1100 each with total of 7700 grams from secret cavity made in the pillar of calendar side of the Car were recovered that counts to the total of 14500 grams of chars. Criminal Law was brought into motion against the accused and resultantly, FIR bearing No. 74 dated: 30/07/2022 was registered against the accused by attracting Section 9-D of the KP Control of Narcotics Substances Act, 2019 in Police Station Kalaya of District Orakzai. The accused was arrested on spot who was later on remanded to Judicial Lockup. Consequently, application for release of the accused on bail is presented which is under consideration.</p> <p>4. Learned counsel for accused/petitioner and learned</p>

*(Signature)*  
**SAVED FAZAL WAHID**  
 District & Sessions Judge  
 Orakzai at Hangu

(4) 30/4/2022

Assistant Public Prosecutor for State were heard at length and file gone through.

5. This is tentative assessment of record available on file as deep appreciation of case file is neither required nor warranted at this stage. The accused/petitioner was allegedly carrying chars in his Motor Car and was arrested on the spot. The huge quantity of 15400 grams of chars was recovered from the secret cavities of the Motor Car driven by petitioner; that has been supported with ocular evidence of the witnesses recorded on memorandum of recovery. The parcels separated for the purpose of examination through channel of Forensic Science Laboratory have promptly been sent. The huge quantity of chars apparently rules out the chance of false implication. The case of accused/petitioner is also falling within the ambit of prohibitory Clause of Section-497 of the Criminal Procedure Code, 1898 as well. Arrest of accused on the spot and recovery of huge quantity of chars connect the accused with the commission of offence on its face and thus the Court is not inclined to extend him concession of bail.

6. For what has been discussed above, instant bail petition stands dismissed. File of this Court be consigned to District Record Room after its necessary completion and compilation within the span allowed for; whereas, copy of this Order be placed on record of Police to be returned accordingly.

7. Announced in open Court.



**Sayed Fazal Wadood,**  
ASJ/JSC, Orakzai at Baber Mela