

9

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

Bail Application No. : 106/4 of 2022
Date of Institution : 29.11.2022
Date of Decision : 30.11.2022

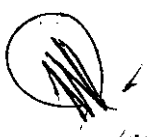
AMEEN ULLAH VS THE STATE

ORDER

DPP, Umar Niaz for the State present.

Aurangzeb Khan Advocate, the counsel for accused/petitioner submitted written arguments. Record received. Arguments of learned DPP heard and record/written arguments gone through.

2. Accused/petitioner, **Ameen Ullah** s/o Abdullah Jaan seeks his post-arrest bail in case FIR No. 43, dated 25.11.2022 registered U/S 9 (d) of Khyber Pakhtunkhwa CNSA at Police Station Mishti Mela, wherein, as per contents of FIR, the complainant along with other police officials having laid a picket, were present on the spot where a flying-coach bearing No. WAA390/Lasbela driving by the accused/petitioner was stopped for the purpose of checking wherefrom a cloak was recovered from beneath the gearbox of flying-coach which led the complainant to the recovery of 03 packets of chars,


Shaukat Ahmad Khan
District & Sessions Judge,
Orakzai at Baber Mela
30/11/22

10


each weighing 1200 grams, making a total of 3600 grams. Hence, the present FIR.

3. It is evident from the record that though the accused/petitioner is directly nominated in the FIR and huge quantity of chars has been recovered but the recovery of chars has not been made from personal possession of the accused/petitioner rather from beneath the gearbox of the flying-coach. Moreover, the representative samples have been sent to FSL Peshawar for chemical analysis but with a delay of about 03 days. Furthermore, the FSL report is yet awaited to show that whether the recovered substance was actually chars or otherwise.

4. Hence, in view of what is discussed 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 Judicial Magistrate/MOD. 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:
30.11.2022


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

