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IN THE COURT OF ABDUL BASIT
ADDITIONAL SESSIONS JUDGE-II, ORAKZAI

Petition No. 37/4 of 2024

"Ghani Gul... Versus ... The State"

Order---3

06.05.2024

Mr. Ameer Ajam, advocate, for accused/petitioner and DyPP for State are in attendance.

Accused/petitioner Ghani Gul s/o Meeran Gul seeks his post arrest bail in case FIR no. 19 dated: 18.04.2024 under section 9D KP CNSA of Kurez Boya Police Station, Orakzai.

Concise facts of the case are that complainant along with other police officials were patrolling the area, where they confronted a person in suspicious condition heading towards Zerha village carrying red color sack on his shoulder; that the person was stopped and the sack was searched, which led the recovery of 15 packets of charas wrapped with yellow scotch tape; that each recovered packet weighed 1000 grams making total quantity of 15000 grams; that 10 grams of charas was separated from each packet and packed in parcels no. 1 to 15 for FSL and the balance charas 14850 grams was amalgamated and packed along with sack in parcel no. 16; that USB containing the videography of recovery proceedings was packed in parcel no. 17; that the accused was arrested, hence, the FIR.

Arguments heard and record gone through.

This is tentative assessment of record available on file as deep appreciation of case file is neither required nor warranted at this stage. That contraband was recovered from direct possession of accused/petitioner, who was arrested on the spot. Accused/petitioner was found smuggling the charas, which carries maximum punishment that also falls within the restrictive clause of section 497 Cr.PC. The huge quantity of charas apparently rules out the chance of false implication. The test samples taken from the recovered contraband had already been sent to FSL well in time as per available record, whereas, there is sufficient incriminating material available on file to


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prima facie connect the accused/petitioner with commission of heinous offence; therefore, the Court is not inclined to extend him concession of bail, hence, his application is dismissed.

The requisitioned record be returned to the headquarter concerned and file of this court be consigned to record room after necessary completion and compilation.



Announced
06.05.2024

(Abdul Basit)
Addl. Sessions Judge-II, Orakzai