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

Petition No. 70/4 of 2024

"Shakeel Ahmed... Versus ... The State"

Order---04
19.07.2024

Mr. Sanaullah Khan, advocate, for accused/petitioner and DPP for State are in attendance.

Accused/petitioner Shakeel Ahmed s/o Gulbat Khan seeks his post arrest bail in case FIR no. 44 dated: 29.06.2024 under sections 11-B CNSA, 15-AA & 5-Explosive Substance Act of Mishti Mela Police Station, Orakzai.

Concise facts of the case are that complainant along with other police officials were available at barricade, where at 1740 hours a person was found coming from Dara Hassan Zai side, who on seeing the police party made an attempt to escape but he was overpowered; that upon search, the police recovered a .30 bore pistol no. 2973 along with fixed charger containing 04 live rounds of .30 bore from his trouser fold; that on further search, a white colored plastic envelope recovered from right side pocket of his shirt and a hand-grenade no. POF 408001 was also recovered from left side pocket of his shirt; that they called BDU staff to defuse the hand-grenade; that pistol was packed and sealed into parcel no. 01 and upon checking the plastic envelop, Ice recovered from it; that the recovered Ice weighed 200 grams, out of which 01 gram ice was separated and packed in parcel no. 02 for FSL and the balance Ice 199 grams along with plastic envelop was packed and sealed in parcel no. 03; that BDU staff arrived and defused hand-grenade which was packed and sealed into parcel no. 04; that videography of the spot proceedings was made in the mobile phone that was copied to USB, which was packed and sealed in parcel no. 05; that accused disclosed his name Shakeel Ahmed, who was arrested on the spot, hence, the FIR.

Arguments heard and record gone through.

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This is tentative assessment of record available on file as deep appreciation of case file is neither required nor warranted at this stage. Record provides that the local police have recovered 200 grams Ice, one pistol of .30 bore and a hand-grenade from direct possession of the accused/petitioner. The investigation in the case is incomplete. The parcels separated for the purpose of examination through channel of Forensic Science Laboratory have promptly been sent. Accused/petitioner has history of his involvement in such type of cases. The case of accused/petitioner also falls within the prohibitory Clause of Section-497 of the Criminal Procedure Code, 1898. Arrest of accused/petitioner on the spot and recovery of dangerous articles from direct possession of accused/petitioner connects him with the commission of heinous offence; therefore, the Court is not inclined to extend him concession of bail, hence, the application is **dismissed**. Copies of this order are placed on police and judicial files.

Requisitioned record returned to the quarter concerned and file of this court consigned to record room after necessary completion and compilation.



Announced
19.07.2024

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