

03

IN THE COURT OF JUDICIAL MAGISTRATE-I, KALAYA, ORAKZAI

Bail Petition 43/4 of 2024.

Date of institution.....03.07.2024.

Date of decision.....05.07.2024.

Order – 03
05.07.2024

APP for the state present. None present for accused/petitioners present. Record already received. Written arguments on behalf of counsel for accused/petitioners already submitted. Arguments on behalf of APP for the state heard today and case file perused.

ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai

Accused/petitioners Sakhi Gul S/O Mastan Gul and Noor Ameen S/O Haider Jan are seeking their post arrest bail in case FIR No.45 dated: 30.06.2024 U/S 11-A CNSA Police Station Mishti Mela, District Orakzai.

Amir Khan
05/07/2024

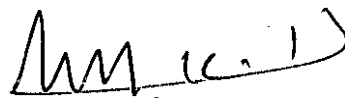
Perusal of record reveals that recovery of 60 and 50-grams ICE has been effected from the direct possession of the accused/petitioners Sakhi Gul and Noor Ameen respectively. The offence is heinous in nature and affects the society at large especially the youth. The number of ICE addicts and sellers is increasing day by day in the area. It has resulting into commission of other crimes as well and the same needs to be discouraged. Although, the offence for

which accused/petitioners are charged does not fall within the ambit of prohibitory clause of Section 497 Cr. PC but this fact by itself will not create a right in favor of accused/petitioners for grant of bail as there is sufficient material available on record connecting the accused/petitioners with the commission of the offence. Although, FSL report is not placed on file, however, copy of the application for FSL and road certificate are placed on file which show that the samples separated for FSL examination have been sent to FSL Peshawar well within time.

Consequently, the application in hand is turned down. Copy of this order be placed on judicial as well as police file. Requisitioned record be sent back to the quarter concerned forthwith.

File be consigned to record room after its necessary completion and compilation.

ANNOUNCED:
05.07.2024



ZAHIR KHAN
Judicial Magistrate-I,
Tehsil Kalaya, Orakzai