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IN THE COURT OF BAKHT ZADA ADDITIONAL SESSIONS JUDGE-I,
ORAKZAI AT BABER MELA

Bail Application No : 2/4 of 2024
Date of Institution : 01.01.2024
Date of Decision : 03.01.2024

ZAMAN VS THE STATE

ORDER

03.01.2024

Sr. PP, Abul Qasim for the State present. Mr.

Sana Ullah Khan Advocate present. Record received.

Arguments heard and record gone through.

2. The accused/petitioner namely, Zaman s/o Zareen Khan r/o Malak Din Khel, Maidan Kalay District Khyber is seeking his post arrest bail in case FIR No. 23, Dated 30.12.2024, U/S 9 (d) CNSA registered at Police Station Dabori.

3. Facts of the case are that complainant Muhammad Ishaq Khan SHO PS Dabori was sent Murasila to the PS through constable Shahid Gul no. 1714, according to which on 30.12.2024 at 10:30 am, he along with constables Shahid Gul no. 1714, Ajmal Khan no. 1664 and other police officials were present, duly armed along with official pick-up in the custody of driver Muhammad Ayub no. 1691, on Nakabandi at Arhanga road. In the meanwhile, a motorcar bearing registration no. KHYA-7167, white colour coming from District Khyber side was stopped for checking. During checking from the right-side tool box of the vehicle, two packets Chars wrapped with yellow

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solution tape were recovered. On weighing the same through digital scale each packet was found to be 900 grams out of which 10/10 grams were separated for FSL. Video of the occurrence was prepared and saved the same in USB which sealed into parcel no. 5. All the parcels were sealed by putting 01/01 seals of monogram of "DB" inside the parcels and 03/03 seals of the same monogram were affixed on each parcel. The accused disclosed his name as Zaman s/o Zareen Shah r/o Malak Din Khel, Maidan Kelay District Khyber and hence the instant FIR.

4. Arguments heard and available record perused which shows that the occurrence has taken place on the main Arhanga to Dabori road and the place of occurrence is visible from a quite considerable distance and it was not impossible for the accused /petitioners to avoid the barricade by taking U-turn, there is no secret cavity specially designed for the said purpose in the vehicle. The FSL report is not yet received to determine that whether the recovered contraband is Chars or otherwise, which makes the case of accused/petitioner is one of further inquiry. It is mentioned in the Murasila that photography of the occurrence was also made, but no such photographs is annexed with case file, therefore, I hereby accept the instant bail petition subject to submission of bail bonds in the sum of Rs. 100,000/- with two sureties each,

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each in the like amount to the satisfaction of court. The sureties must be local, reliable and men of means.

5. Copy of this order be placed on police/judicial file. Case file be consigned to the record room after its necessary completion and compilation.

Announced
03.01.2024



BAKHT ZADA
Additional Sessions Judge-I, Orakzai
at Baber Mela