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

Bail Application No : 1/4 of 2024  
Date of Institution : 02.01.2024  
Date of Decision : 03.01.2024

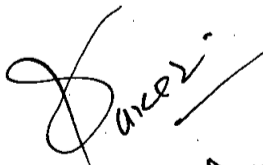
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Order No. 02  
03.01.2024

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, Najeeb Ullah s/o Nadar Shah r/o Caste Sheikhan, Tapa Umer Zai, village Gul Meer Ghari, District Orakzai is seeking his post arrest bail in case FIR No. 72, Dated 31.12.2024, U/S 9 (d) CNSA, registered at Police Station Mishti Mela.

3. Facts of the case are that complainant Azmat Ullah SHO PS Mishti Mela sent Murasila to the PS through constable Muhammad Nawaz No. 1238, according to which on 31.12.2024 at 1300 hours on main road Mishti Mela, he along with constables Muhammad Nawaz No. 1238, Shameer Ullah no. 2195 along with driver Mikael Khan HC No. 1211 were present at barricade. In the meanwhile, one person having covered himself in Shawl coming from Mishti Mela side was stopped on suspicion and on his search one plastic sack of blue colour was recovered and on search of sack, one packet Chars wrapped with yellow solution tape was recovered. On weighing the same

  
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through digital scale each packet was found to be 1000 grams out of which 10 grams were separated for FSL and packed and sealed into parcel No. 01, while the remaining quantity was packed and sealed into parcel No. 2. Video of the occurrence was prepared and saved the same in USB which sealed into parcel no. 3. The accused disclosed his name as Najeeb Ullah S/O Nadar Shah, R/O Qaum Sheikhan, Tappa Umarzai, Village Gul Mir Garhi, District Orakzai and hence the instant FIR.

4. Arguments heard and available record perused which shows that 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 report that the accused was coming towards the barricade by walk, but despite of straight road and visible barricade from a quite considerable distance, the pedestrian/accused did not take u-turn despite of having alleged contraband chars in his possession which is against the natural conduct of a person and is not appealing to prudent mind in absence of solid evidence. I, therefore, accept the instant bail petition subject to submission of bail bonds in the sum of Rs. 100,000/- with two sureties each, each in the like amount to the satisfaction of court. The sureties must be local, reliable and men of means.

  
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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*

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Additional Sessions Judge-I/JSC, Orakzai  
at Baber Mela