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Huzaifa VS STATE

FIR no. 65, dated 17.11.2024, u/s 9(d) CNSA, PS Kurez Boya.

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

Bail Application No : 08/4 of 2025  
Date of Institution : 07.01.2025  
Date of Decision : 09.01.2025

Order No. 02  
09.01.2025

Sr.PP, Abul Qasim for the State present.

Accused/petitioner through counsel Mr. Sana Ullah Khan Advocate present.

(2). Accused/petitioner, Huzaifa s/o Yaroz Khan, R/O Qaum Zakha Khel, District Khyber is seeking his post arrest bail in case FIR no. 65, dated 17.11.2024 u/s 9 (d) CNSA of police station Kurez Boya.

(3). Facts of the case are that complainant Amir Khan SHO PS Kurez Boya, sent a Murasila through constable Bakar Ali no. 592 wherein it is alleged that on 17.11.2024 at 1200 hours, he along with constable Kinaan Ali no. 240, Bakar Ali no. 592 duly armed in official vehicle under the custody of driver Farhad Alii no. 562 were present on naka bandi near Tazi Khel check post, meanwhile from Anjani side a sliver colour, Vitz motorcar bearing registration no. 7113/Khyber, was stopped for checking, wherein two persons were present they were deboarded and their body search was carried out, but nothing incriminating was recovered.

*Sana Ullah*  
9.1.25

**BAKHT ZADA**  
Addl. District & Sessions Judge  
Orakzai at Hangu

The motorcar's switch board was opened through screwdriver and in the secret cavity of the switch board 14 packets of chars, wrapped in yellow scotch tape

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were recovered, which were weighed through digital scale, each packet was 1000/1000 grams and the total was found 14,000 grams. From each packet 10/10 grams of chars were separated and sealed into parcels no. 1 to 14 while the remaining 13860 grams were sealed into parcel no. 15 while the screwdriver was sealed into parcel no. 16. Video of the recovery proceedings was prepared through mobile phone of driver, constable Farhad Ali no. 562 which was converted into USB and the same was sealed into parcel no. 17. One seal of monogram "AK" is placed inside each parcel by affixing three stamps of monogram "AK". The parcels along with motorcar bearing registration no. 7113/Khyber, chassis no. SCP 10-3141925, Engine no. 1SZFE997 were taken into possession vide recovery memo. The driver disclosed his name as Huzaifa s/o Yaroz Khan while the person present in the front of car disclosed his name as Abdul Hanan s/o Ashan Gul, both residence of Afridi, Zakha Khel, District Khyber. Both the accused were arrested and hence, the instant bail application is submitted by accused/petitioner Huzaifa.

*Daveer*  
9-11-25 (3)  
BAKHT ZADA  
Adel District Judge-1  
Lahore

Arguments heard and available record perused which shows that a huge quantity of chars weighing 14,000 grams was recovered by the police from the secret cavity of the vehicle, which is driven by the accused/petitioner and being driver of the vehicle, he

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was in control and presumed to be in the knowledge of everything loaded in his car. Furthermore, FSL report is positive. Accused/petitioner and co-accused both belongs to one and the same caste and village and they knew each other. The offence is heinous in nature. The accused/petitioner is arrested at the spot along with huge quantity of Chars, recovered from the secret cavities of his car and prima facie he is connected with the commission of offence; therefore, I am not inclined at this stage to release him on bail. The instant bail petition being devoid of merits is hereby dismissed. Requested record be returned back to quarter concerned. Copy of this order be placed on police record while file of this court be consigned to record room.

Announced  
09.01.2025

*Qadeer*  
*9.1.25*

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