

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

BBA No : 22/BBA of 2025
Date of Institution : 27.01.2025
Date of Decision : 04.02.2025

ORDER

04.02.2025

Sr. PP, Abul Qasim for the state present.

Accused/petitioner along with Altaf Ahmad Advocate present. Record received. Arguments heard.

(2). Accused/petitioner Alla Baz seeks confirmation of his ad interim pre-arrest bail in case FIR no. 26, dated 21.04.2024, U/S 9(d) CNSA of Police Station Kalaya.

(3). Facts of the case are that complainant Shal Muhammad SHO PS Kalaya sent Murasila through constable Wajid Ullah No. 320 to the effect that informer has informed him that huge quantity of Chars through motorcycle will be smuggled from Said Khalil towards Anjani Bazar. On the said information, the complainant along with Jahanzeb HC No. 1416, Wajid Ullah No. 320, Saif Ullah No. 1460 duly armed proceeded to the place of occurrence in the official vehicle being driven by Zeeshan Haider No. 590 and laid barricade there. In the meanwhile, a motorcycle coming from Anjani side was stopped for checking and during his body search nothing incriminating was recovered however, on checking the sack present with the driver contraband Chars was recovered. On

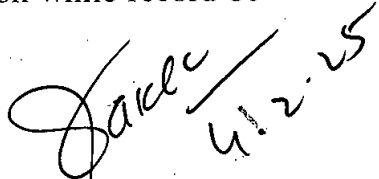
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BAKHT ZADA
Addl. District & Sessions Judge-1,
Orakzai at Hangu

weighing the same through digital scale, the same were found 20000 grams. Video of the occurrence was prepared by driver Zeeshan Haider. The accused disclosed his name as Hashmat Ullah S/O Khana Gul, R/O Stori Khel. He was arrested and hence the instant FIR.

(4). After hearing arguments, available record perused which shows that although the accused/petitioner is neither charged in the FIR by name nor any recovery has been affected from his personal possession, rather he is charged in the statement U/S 161 Cr. PC of the arrested accused namely Hashmat Ullah. There is nothing on record to show malafide on the part of complainant/police regarding his false implication in the instant case. The quantity of contraband Chars is huge, furthermore no other grounds for confirmation of bail before arrest are pointed out by counsel for accused/petitioner. I, am therefore, not inclined to accept the instant bail before arrest application and to extend extraordinary relief to the accused/petitioner. Ad interim bail earlier granted is hereby recalled.

(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 while record be return back to the quarter concerned.

Announced
04.02.2025


4.2.25
BAKHT ZADA
Additional Sessions Judge-I, Orakzai
at Baber Mela