

JUDGMENT SHEET  
**IN THE PESHAWAR HIGH COURT, PESHAWAR**  
 JUDICIAL DEPARTMENT

Bail Petition No.2288-P/2017

**O R D E R**

Date of hearing: : 24<sup>th</sup> November, 2017

Petitioners :By: Mr.Amanullah Pirzada,  
 (Jehan Sharif) Advocate.

Respondent:  
 State By: Mr.Waqas Chamkani,  
 Advocate.

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**QAISER RASHID KHAN, J:-** Accused/petitioner

Jehan Sharif seeks his release on bail in case FIR No.60, dated 2.8.2017, under Section 9 (b) Control of Narcotics Substances Act, 1997 of Police Station RD ANF, Peshawar, with the allegations that 930 grams of heroin were recovered from his belly.

2. Arguments heard and the available record perused.

3. As per the FIR, it was on account of a spy information that a person by the name of accused/petitioner would be trafficking heroin in his belly to Sharjah through Shaheen Airlines, when a surveillance was conducted and on arrival of the accused/petitioner, he was stopped and on summary interrogation, he disclosed about the presence of narcotics in his belly whereafter he was taken to the Hayat Abad Medical Complex, Peshawar and from his stomach, 930 grams heroin concealed in 137 capsules were recovered.

4. In a situation where he was found carrying contraband heroin in his stomach and that too, to an Arab country which provides for the most stringent punishment to the offenders in such like cases and also carrying a Green Passport thereby bringing a bad name for his country and when the FSL report in respect of the narcotics is in the affirmative, then the

accused-petitioner is prima facie connected with the commission of offence and hence not held entitled to the concession of bail even if the offence does not attract the prohibitory clause of Section 497 Cr.P.C. Accordingly, this bail petition stands dismissed.

5. However, keeping in view the request of the learned counsel for the petitioner, challan in the case be put in court within a fortnight and thereafter the learned trial court shall conclude the trial expeditiously. The record be sent forthwith.

6. Needless to mention that the observations recorded in this order are tentative in nature and shall not prejudice the proceedings before the learned trial court where the case be decided on its own merits after recording evidence.

Announced on  
24th November, 2017.

J U D G E