IN THE COURT OF SESSIONS JUDGE, ORAKZAI AT BABER MELA

Case Title: State

(B)

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Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary.		
1	2	3		
Order No.01	15.05.2023	Register. Accused is on bail. He be summoned for		
		22.05.2023. Notice also be issued to his sureties for date		
		fixed. (SHAUKAT AHYLAD KHAN) Sessions Judge/Judge Special Court, Orakzai at Baber Mela		
Order No.02	22.05.2023	DPP, Umar Niaz for State present. Accused Munir		
		Khan on bail, not present. The prosecution submitted		
		application for discharge of accused. Arguments on		
		application heard.		
		Accused Munir Khan s/o Risham Khan is charged		
		for the offence u/s 9 (d) of the Khyber Pakhtunkhwa		
		Control of Narcotic Substances Act, 2019 vide FIR no.		
		16, dated 11.02.2022 of Police Station Kalaya, wherein,		
		as per contents of FIR, the complainant Younas Khan		
		SHO acting on information regarding smuggling of		
		narcotics by accused Munir Khan and Sarhad through		
		Manzakhe road to Bara Khyber, laid a picket on the spot,		
		where at about 1530 hours the above-named persons		
		riding a motorcycle without registration number, on		
		seeing the police party, abandoned the motorcycle along		
Sha	ukat Ahmad Judg	with two bags and made their escape good from the spot.		
Die	ukat Annove Jukat rict & Sessions Jukat rict & Baber Man orakzai at Baber Man orakzai at Baber Man	The search of the bags led the complainant to the recovery		
	4.	of 25 packets of chars, each weighing 1000 grams,		
		making a total 25000 grams.		

FIR no. 16, Dated: 11-02-2022

, u/s **9Dens**A

Kalaya

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Contin. 2 3   After completion of investigation, the prosecution submitted challan against the accused facing trial. Accordingly, he was summoned but the accused did not turn up before the court. Thereafter, the prosecution submitted application for discharge of the accused on the grounds mentioned therein.   It is evident from the record that neither the accused was arrested on the spot nor any recovery has been effected from his personal possession. There is nothing available on file to show that as to how the local police was able to establish the identity of the accused named above.   Hence, in view of what is discussed above, it is held that there is no ground to proceed against the abovenamed accused; therefore, on acceptance of the application of prosecution, the accused named above is discharged of the offence. Consign.   Pronounced: 22.05.2023   (SHAUKAT AHIMAD KHAN)   Sessions Judge/Judge Special Court. OraZai at Baber Mcla	order or Or proceedings Proce	rder Mag redings		ceediings with Signature parties or counsel where n	
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