

IN THE COURT OF ASGHAR SHAH  
SESSIONS JUDGE/JUDGE SPECIAL COURT, ORAKZAI  
AT BABER MELA

Bail Application No : 23/4 of 2019  
Date of Institution : 19.12.2019  
Date of Decision : 21.12.2019

MAQBALI KHAN VS THE STATE

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ORDER

DPP, Umar Niaz for State and Shaheen Muhammad Advocate for accused/petitioner present. Record received. Arguments heard and record gone through.

2. Accused/petitioner, Maqbali Khan seek his release on bail in case FIR No. 24, dated 17.12.2019 registered U/S 9(c) CNSA at Police Station Upper Orakzai Ghiljo, wherein he is charged for having in his possession 150grams Chars.

3. From the arguments and record available on file, it reveals that the offence carries punishment up to 7 years and as such would not attract the prohibitory clause of Section 497 Cr.P.C. The FSL report is not available to determine the nature of substance recovered. Accused/petitioner after his arrest has gone through the process of investigation but neither he confessed his guilt nor

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*[Signature]*

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anything incriminating recovered from his possession during the said period of investigation. No past criminal history either of involvement or conviction of the accused/petitioner was brought on record. As such further enquiry would be attracted to the case of accused/petitioner and his case is thus arguable for the purpose of bail.

4. Accordingly, for the reasons briefly mentioned above, bail petition in hand stand accepted and accused/petitioner is admitted to bail subject to furnishing bail bonds in the sum of Rs. 50,000/- with two sureties each in the like amount to the satisfaction of this court.
5. Police record be returned and file of this court be consigned to record room.

**Announced**  
21.12.2019



**ASGHAR SHAH**  
Sessions Judge/ Judge Special  
Court, Orakzai at Baber Mela

21.12.19

ASGHAR SHAH  
District & Sessions Judge,  
Orakzai at Hangy.