

**Present:**

Sana Ullah Khan Advocate for the accused/petitioner  
APP Syed Aamir Shah for State  
Record received

This order shall dispose of **Post-arrest Bail Application** filed on behalf of accused/petitioner **Ajmir Khan** s/o Afzal Shah; caste Ali Khel, Jasrat Khel; r/o Targho Tagha, District Orakzai; who is confined in jail in case **FIR No. 32** dated 18-08-2020, u/s **9 (c) KP-CNSA** of PS Upper Orakzai.

Facts of the case, according the FIR, are; that complainant Sub Inspector, along with constables, was present on a police post when the accused/petitioner was seen suspicious and stopped for checking. On search 390 grams of chars was recovered from his possession. The accused was arrested and the recovered substance was taken into possession by police. Hence, the instant petition.

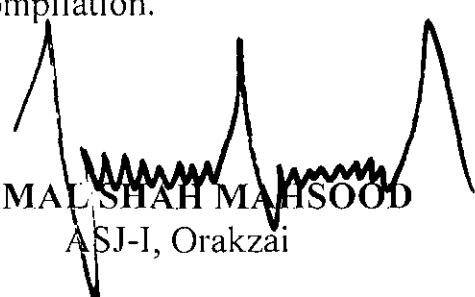
Arguments heard and record perused, tentative assessment of which shows that:

JAMAL SHAH MAHSUD  
Addl: District & Sessions Judge-I,  
Orakzai at Hangu

1. The case does not fall under prohibitory clause of section 497 CrPC.
2. There is nothing on record to show that the samples of case property have so far been sent to FSL, Peshawar or even placed in safe and proper custody.
3. There is nothing on record that accused/petitioner has previously remained involved in any criminal case.

In these circumstances the accused/petitioner has made out a case of further inquiry into his guilt for the purpose of grant of bail. Accordingly, instant petition is **allowed** and accused/petitioner Nasrullah is directed to be released on post arrest bail, subject to furnishing of bail bonds in the sum of **Rs. 80,000** with two sureties, each in the like amount, to the satisfaction of this court. Let a copy of this order be placed on record of the case and the same be returned to the quarter concerned. Let this file is to be consigned to record room after necessary completion and compilation.

**Announced**  
**22-08-2020**

  
**JAMAL SHAH MAHSOOD**  
ASJ-I, Orakzai