


3

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE/JUDGE SPECIAL COURT
ORAKZAI, AT BABAR MELA**

BA No. 45/4 of 2023
Muhammad Israr etc. Vs State

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	12/06/2023	<p>Mr. Khursheed Alam Advocate for accused/petitioner; DPP for State are in attendance.</p> <p>2. Record received and arguments heard; whereas, this is the disposal of Post arrest bail application presented by accused/petitioner Muhammad Israr s/o Jan Akbar resident of Qaum Feroz Khel Chawantra Teshil Lower, District Orakzai.</p> <p>3. Mr. Muqaddar Khan SI of the Police Station Kalaya, Orakzai along with other police officials were busy in patrolling of the area. Meanwhile, one person on walk along side the road was having plastic bag in his right hand was suspected. On search, the complainant recovered 02 packets of chars weighing 2000 total from such bag. Criminal Law was brought into motion against the accused and resultantly, FIR bearing No. 51 dated: 14/05/2023 was registered against the accused by attracting Section 9-D of the KP Control of Narcotics Substances Act, 2019 in Police Station Kalaya of District Orakzai. The accused was arrested on spot who was later on remanded to Judicial Lockup. Consequently, application for release of accused on bail was submitted which is under consideration.</p> <p>4. Learned counsel for accused/petitioner and District Public Prosecutor for State were heard at length and file gone through.</p> <p>5. This is tentative assessment of record available on file as deep appreciation of evidence is neither required nor warranted. The accused/petitioner was allegedly carrying chars in bag and was arrested on the spot; but, no private witness has been associated with the recovery proceedings. The quantity of 2000 grams of chars was allegedly recovered from his direct and personal possession; yet,</p>


SAVED FAZL WAZIR
 District & Sessions Judge
 Orakzai at Hangu

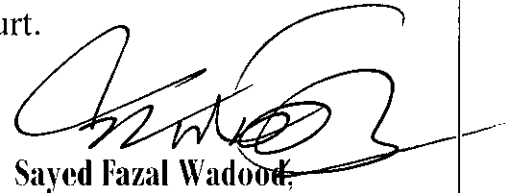
4

report of the Forensic Science Laboratory is still awaited and determination of the recovered items as chars is before time. More so, the prosecution is also not claiming that the accused was previously involved in the same nature of cases. All these facts renders the case of petitioner as one of further inquiry.

6. For what has been discussed above, instant bail petition stands allowed subject to furnishing bail bonds to the tune of Rupees 120,000/-; with 02 sureties; each in the like amount, to the satisfaction of this Court.

7. File of this Court be consigned to District Record Room after its necessary completion and compilation within the span allowed for; whereas, copy of this Order be placed on record of Police to be returned accordingly.

8. Announced in open Court.



Sayed Fazal Wadood,
ASJ/JSC, Orakzai at Baber Mela