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

BA No. 47/4 of 2023
Ibrahim ___ 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. Wajid Khan Advocate for petitioner and Mr. Umar Niaz District Public Prosecutor for State are in attendance. Arguments heard; whereas, this is the disposal of petition for grant of post arrest bail.</p> <p>2. This Post arrest bail application is presented by accused/petitioner Ibrahim s/o Muhammad Iqbal r/o Bara, District Khyber.</p> <p>3. Aftab Ahmed, SHO of Police Station Kalaya Orakzai, was reportedly available on barricade at Mandra Khel Check-post. One Motorcycle was suspected and was overpowered. The person riding on Motorcycle Honda-125 of black color was deboarded. On search, chars measuring 9000 grams was recovered from his trouser fold. Sample of 10 grams has been separated for its analysis through lab. Card of arrest has been issued; recovery memo was prepared and Murasila was drafted for brining criminal law into motion. Similarly, one 30-bore Pistol bearing No. A3276 along with fix charger and 14 live rounds have also been recovered from accused. Resultantly, FIR bearing No. 60 dated: 06/06/2023 was registered against the accused by attracting Section 9-D of the Control of KP Narcotics Substances Act, 2019 read with Section 15 of KP Arms Act, 2013 in Police Station Kalaya of District Orakzai. The accused being arrested on spot was later on remanded to Judicial Lockup. Consequently, application for release of accused on bail is presented which is under consideration.</p> <p>4. Learned counsel for accused/petitioner and learned Assistant Public Prosecutor for State were heard at length and file gone through.</p> <p>5. This is tentative assessment of record available on</p>

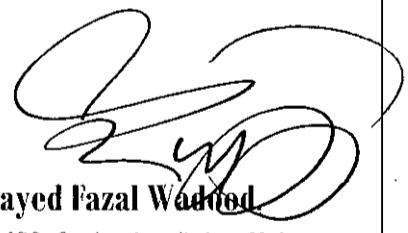

SAVED FAZL WADOOD
District & Sessions Judge
Orakzai at Hangu

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file as deep appreciation of case file is neither required nor warranted at this stage. The accused/petitioner was allegedly carrying chars and was arrested on the spot. The huge quantity of 9000 grams of chars as well as Pistol and live rounds were allegedly recovered from the trouser fold which was in the direct possession of accused that has been supported with ocular evidence of the witnesses recorded on memorandum of recovery. The parcel separated for the purpose of examination through channel of Forensic Science Laboratory have promptly been sent. The huge quantity apparently rules out the chance of false implication. The case of accused/petitioner is also falling within the ambit of prohibitory Clause of Section-497 of the Criminal Procedure Code, 1898. Arrest of accused/petitioner on the spot and recovery of chars and arms connect the accused/petitioner with the commission of offence on its face and thus the Court is not inclined to extend him concession of bail.

6. For what has been discussed above, instant bail petition stands dismissed. 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.

7. Announced in open Court.



Sayed Fazal Wahid
ASJ/JSC, Orakzai at Baber Mela