

5

BA No. 57/4 of 2023  
MUHAMMAD WALI VS STATE  
FIR No. 13, Dated 16.03.2023, u/s 9 (d) CNSA, PS Kurez Boya

IN THE COURT OF SHAUKAT AHMAD KHAN  
SESSIONS JUDGE/JUDGE SPECIAL COURT, ORAKZAI  
AT BABER MELA

Bail Application No. : 57/4 of 2023  
Date of Institution : 17.08.2023  
Date of Decision : 18.08.2023

MUHAMMAD WALI VS THE STATE

ORDER

DPP, Umar Niaz for the State and Sana Ullah Khan Advocate for accused/petitioner present. Record received. Arguments heard and record gone through.

2. Accused/petitioner, **Muhammad Wali** s/o Sharif Khan seeks his post-arrest bail in case FIR No. 13, dated 16.03.2023 registered U/S 9 (d) of the Khyber Pakhtunkhwa CNSA, 2019 at Police Station Kurez Boya, wherein, as per contents of FIR, the complainant along with other police officials during routine patrolling were present on the spot where at about 1500 hours a person having a white colour bag on his shoulder on way from fields towards main road, on seeing the police party abandoned the bag and made his escape good from the spot. The search of the bag led the complainant to the recovery of 13 packets of chars each weighing 1000 grams, making a total of 13000 grams. Later on, the name of accused has

Shaukat Ahmad Khan  
District & Sessions Judge,  
Orakzai at Baber Mela

18/08/23

6


been known to the police as Muhammad Wali s/o Sharif Khan, the present accused/petitioner. Hence, the present FIR.

3. It is evident from the record that though the offence for which the accused/petitioner is charged attracts prohibitory clause of section 497 Cr.P.C and with a huge quantity of narcotics were recovered but the recovery has not been effected from personal possession of the accused/petitioner and the accused/petitioner has not been arrested on the spot rather he has been nominated in the FIR on the basis of information and satisfaction but no source of information or satisfaction has been disclosed.

4. Hence, in view of what is discussed above, bail petition in hand stands accepted and the accused/petitioner is admitted to the concession of bail provided he submits a bail bond in the sum of Rs. 100,000/- with two sureties each in the like amount to the satisfaction of Judicial Magistrate concerned/MOD. The sureties must be local, reliable and men of means.

5. Copy of this order be placed on police/judicial file. Consign.

**Pronounced:**  
18.08.2023

  
**SHAUKAT AHMAD KHAN**  
Sessions Judge/ Judge Special Court,  
Orakzai at Baber Mela

