

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

Bail Application No : 105/4 of 2021  
Date of Institution : 03.04.2021  
Date of Decision : 06.04.2021

MUHAMMAD MUSTAFA VS THE STATE

ORDER

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

2. Accused/petitioner, Muhammad Mustafa seeks his release on bail in case FIR No. 14, dated 02.04.2021 registered U/S 9 (c) CNSA at Police Station Ghiljo, wherein he is charged for having in his possession white colour plastic shoper containing 900 grams chars.

  
6/4/21  
ASGHAR SHAH  
District & Sessions Judge,  
Orakzai at Mangu

3. From the arguments and record available on file, it reveals that the FSL report is not available on the case file 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 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. Moreover, the offense carries punishment up to 7 years hence, does not attract the prohibitory clause of Section 497 of Cr.P.C. 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 ordered to be released on bail subject to furnishing bail bonds in the sum of Rs. 100,000/- with two sureties each in the like amount to the satisfaction of this court. Prosecution is directed to submit complete challan of the accused forthwith.
5. File be consigned to record room after its necessary completion and compilation.

**Announced**  
06.04.2021



*Asghar Shah*

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

*06/04/21*