

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

BA No. 48 of 2021
Naqeeb Khan Vs State

ORDER
12.04.2021

Mr. Sana Ullah Khan Advocate counsel for the accused/petitioner and Amir Shah, Learned APP for the State present.

Accused/petitioner Naqeeb Khan s/o Ashraf r/o Caste Aqa Khel Bara District Khyber is seeking his release on bail in case FIR No.45 dated 06/04/2021 u/s 9-D KP-CNSA of PS Lower Orakzai (Kalaya), wherein the accused/petitioner is charged for recovery of chars weighing 3600 gram from the seat of Motorcycle riding by the accused/petitioner.

Arguments for the learned counsel for the accused/petitioner and learned APP for the state heard and record perused.

The tentative assessment of record would revealed that the chars was recovered from the seat of Motorcycle and it is mentioned in the FIR that during body search of the accused/petitioner nothing was recovered from his personal possession. The case was registered on 06-04-2021 however till date the application vide which samples were sent to the FSL is not available on file to determine that the samples were sent to the FSL and similarly the FSL report is also yet not available to determine the nature of recovered contraband which makes the case of accuse/petitioner one on further inquiry. All the witnesses of the prosecution case are Police officials and there is no apprehension to temper with the prosecution case after the

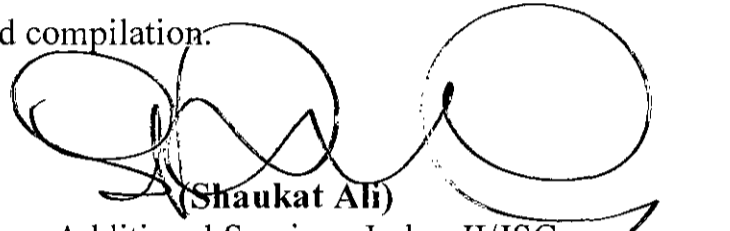

SHAUKAT ALI
Addl. Dist. Sessions Judge-II,
Orakzai at Hangu

accused is released on bail. Furthermore the accused/petitioner is first offender and there is no record on file of his previous involvement in such like cases, therefore the case of accuse/petitioner is arguable for the grant of bail.

In view of above, application of accused/petitioner is accepted and he is directed to be released on bail subject to furnishing surety bonds in sum of Rs.200,000/- with two sureties each in the like amount to the satisfaction of this Court.

File of this Court be consigned to record room after its necessary completion and compilation.

Announced
12.04.2021


(Shaukat Ali)
Additional Sessions Judge-II/JSC,
Orakzai at Baber Mela