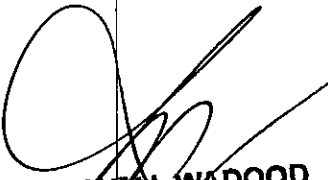


4

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


BA No. 83/4 of 2021
Waqar Younis 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	29/06/2021	<p>Malak Muhammad Farooq Khattak Advocate, counsel for accused/petitioner; Mr. Amir Shah APP for State are in attendance.</p> <p>2. This is the disposal of Post arrest bail application presented by accused/petitioner Waqar Younis son of Khaista Jan resident of Qum Akaa Khel, Aman Talab, Malot District Khyber.</p> <p>3. Mr. Aftab Ahmad ASHO of Police Station Kalaya, Orakzai was reportedly available on barricade. One Waqar Younis s/o Khaista Jan was coming on Motor Cycle towards the Check post while on suspicion he was searched and found 02 packets of chars from his Badha Shalwar which were wrapped with yellow squash tape, on measuring of such packets it were found 1100 grams each with total of 2200 grams. Criminal Law was brought into motion against the accused and resultantly, FIR bearing No. 80 dated: 21/06/2021 was registered against the accused by attracting Section 9-D of the KP Control of Narcotics Substances Act, 2017 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 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 file as deep appreciation of case file is neither required nor warranted at this stage.</p>


SAYED FAJAL WADOOD
Addl: District & Sessions Judge
Orakzai at Hangu

5

BA NO. 83/4 of 2021

<p>Order Continue</p>	<p>29.06.2021</p>	<p>The accused/petitioner was allegedly carrying chars and was arrested on the spot. The quantity of 2200 grams of chars was recovered from his direct and personal possession that has been supported with ocular evidence of the witnesses recorded on memorandum of recovery. The parcels separated for the purpose of examination through channel of Forensic Science Laboratory have promptly been sent. The huge quantity of chars 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 on the spot and recovery of huge quantity of chars connect the accused with the commission of offence on its face and thus the Court is not inclined to extend him concession.</p> <p>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.</p> <p>7. Announced in open Court.</p> <p> SAYED FAZAL WADOOD Additional Sessions Judge/JSC Orakzai at Baber Mela</p>
---------------------------	-------------------	---