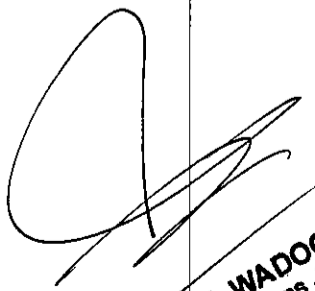


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**IN THE COURT OF ADDITIONAL SESSIONS JUDGE/JUDGE SPECIAL COURT
ORAKZAI, AT BABAR MELA**

BA No. 101/4 of 2021
Lais Khan 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 No	09/08/2021	<p>Mr. Adnan Javid Advocate represented Accused/petitioner; whereas, Mr. Amir Shah APP for State is in attendance.</p> <p>2. This is the disposal of post arrest bail application presented by accused/petitioner Lais Khan s/o Raza Khan r/o Sect Utman Khel Speedara, District Orakzai.</p> <p>3. Mr. Imtiaz Khan, Sub-Inspector of Police Station Kalaya, Orakzai while reportedly on patrolling of the area received information of sale of chars by the trader with the name of Lais Khan in Speedara area falling within the jurisdiction of said Police Station. Narcotics Eradication Team headed by SI Imtiaz Khan rushed towards the place of occurrence and found the present accused with chars wrapped in white shopping bag measuring 1680 grams. The accused tried escape but failed and was arrested on the spot. Chars measuring 10 grams have been separated for transmission to Forensic Science Laboratory; whereas, the remaining contraband was sealed as case property. Resultantly, FIR bearing No. 96 dated: 31/07/2021 was registered against the accused by attracting Section 9-D of the Control of KP Narcotics Substances Act, 2019 in Police Station Kalaya of District Orakzai. The accused being arrested on spot was remanded to Judicial Lockup; therefore, application for release of accused on bail is presented that 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 and deep appreciation of evidence is neither required nor warranted. The accused/petitioner was allegedly</p>

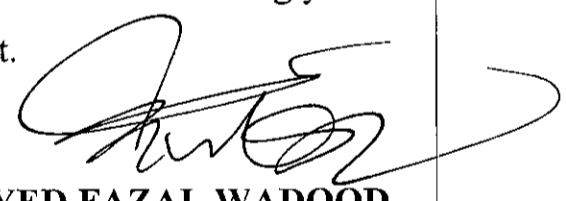

SAYED FAZAL WADOOD
Addl: District & Sessions Judge
Orakzai at Hangu

carrying chars in shopping bag in his right hand and was arrested on the spot; but, no private witness has been associated with the recovery proceedings. The quantity of 1680 grams of chars was allegedly recovered from his direct and personal possession; yet, report of the Forensic Science Laboratory is still awaited and determination of the recovered Narcotics as chars is still awaiting. More so, the prosecution is also not claiming that the accused was previously involved in the same nature of cases. The prime allegation of the Police is that accused was involved in sale purchase of the chars but no test purchase proceedings have been conducted despite having spy information before time. All these facts renders the case of petitioner as one of further inquiry.

6. For what has been discussed above, instant bail petition stands allowed subject to furnishing bail bonds to the tune of Rupees 120,000/-; with 02 sureties each in the like amount; to the satisfaction of this Court.

7. 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.

8. Announced in open Court.



SAYED FAZAL WADDOOD
 Additional Sessions Judge/JSC
 Orakzai at Baber Mela