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ORDER-03
18/02/2022

APP for the state present.

Accused present through clerk of counsel. Record received

The petitioner named Abdul Haleem has applied for his post arrest bail in connection with case FIR No. 05 dated 13/02/2022 u/s 11(A) CNSA registered in PS Dabori Upper Orakzai.

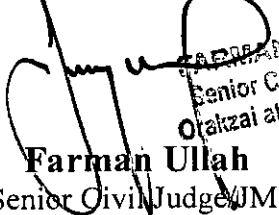
Written arguments submitted by clerk of counsel on behalf of accused/petitioner while APP for the state heard and record gone through. ~~and record perused.~~

Perusal of the record reveals that accused/petitioner has been charged in the instant case with the allegations that police recovered 25 grams of ice from his possession. However, no FSL report is available on file, hence, at this stage it is not certain that whether the recovered item is ice or otherwise. Moreover, record shows that place of occurrence is public road but inspite of that no private and independent witness was associated with the recovery proceedings. Similarly, accused has neither confessed his guilt nor he is previous convict. So, all these facts and circumstance make the case of accused one of further inquiry. Moreover, punishment provided for the offence also does not attract prohibitory clause of section 497 Cr.PC.

For above, accused is entitled to the concession of bail at this stage, hence, application in hand is accepted and accused/petitioner is released on bail subject to furnishing of bail bonds to the tune of Rs: 80,000/- with two local sureties each in the like amount to the satisfaction of the court.

Copy of this order be placed on police record and file be consigned to record room. Record requisitioned be sent to quarter concerned.

ANNOUNCED
18.02.2022


Farman Ullah
Senior Civil Judge JM,
Orakzai at Baber Mela.