


3

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

BA No. 11/4 of 2022

Abu Bakar _____ 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	18/01/2022	<p>Mr. Khurshid Alam Advocate for accused/petitioner; Mr. Amir Shah DyPP for State are in attendance.</p> <p>2. This is the disposal of Post arrest bail application presented by accused/petitioner Abu Bakar son of Samand Khan resident of Qaum Nasrat Khel, District Kohat.</p> <p>3. Mr. Hassan Jan SHO of Police Station Kurez Boya, Orakzai was available on barricade. A person moving towards the barricade was overpowered on suspicion. During personal search of suspected person, the local police recovered 01 plastic bag of chars measuring 300 grams. Criminal Law was brought into motion against the accused and resultantly, FIR bearing No. 03 dated: 14/01/2022 was registered against the accused by attracting Section 9-C of the KP Control of Narcotics Substances Act, 2019; in Police Station Kurez Boya of District Orakzai. The accused namely Abu Bakar son of Samand Khan was arrested on spot who was later on remanded to Judicial Lockup. Consequently; application for release of the accused named above on bail is presented which is under consideration.</p> <p>4. Learned counsel for accused/petitioner and learned Deputy 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 carrying chars in the pocket of his waist coat and was arrested on the spot; but, no private witness has been associated with the recovery proceedings. The quantity of 300 grams of alleged chars were reportedly recovered from</p>

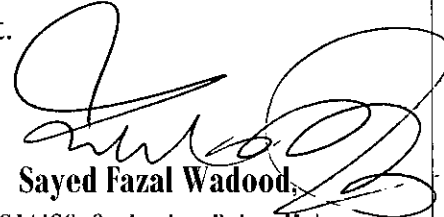

SAYED FAZAL WADOOD
Additional District & Sessions Judge
Orakzai at Hangu

(4)

the direct and personal possession of accused; yet, report of the Forensic Science Laboratory is still awaited and determination of the recovered material as chars is yet to be confirmed. More so, the prosecution is also not claiming that the accused was previously involved in the same nature of cases. 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 70,000/-; with two sureties; each in the like amount, to the satisfaction of this Court. 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.

7. Announced in open Court.


Sayed Fazal Wadood,
ASJ/JSC, Orakzai at Baber Mela