

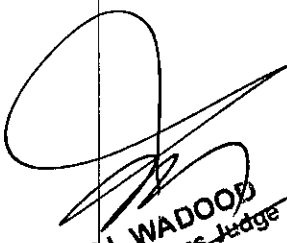


**IN THE COURT OF ADDITIONAL SESSIONS JUDGE/JUDGE SPECIAL COURT
ORAKZAI, AT BABAR MELA**

BA No. 113/4 of 2021

Aqib Vs State

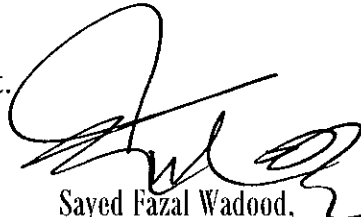
Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Order	24/09/2021	<p>Mr. Sana Ullah advocate for accused/petitioner; Mr. Amir Shah APP for State are in attendance.</p> <p>2. This is the disposal of Post arrest bail application presented by accused/petitioner Aqib son of Amin Khan, resident of Quam Stori Khel, Anjani, District Orakzai.</p> <p>3. Muqadar Khan ASHO of Police Station Kalaya, Orakzai while on routine patrolling of the area suspected accused and thereby overpowered him. He was searched and 02 packets measuring 1200 grams each with total of 2400 grams of chars were recovered from <i>Budh Shalwar</i> of the accused/petitioner. Criminal Law was brought into motion against the accused and resultantly, FIR bearing No. 111 dated: 14/09/2021 was registered against the accused/petitioner by attracting Section 9-D of the KP Control of Narcotics Substances Act, 2019 in Police Station Kalaya of District Orakzai. The accused/petitioner was arrested on spot who was later on remanded to Judicial Lockup. Consequently, application for release of accused/petitioner 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. The accused/petitioner was allegedly carrying chars wrapped in yellow scotch tape in his <i>Budh Shalwar</i> and was arrested on the spot. The huge quantity of 2400 grams of chars were recovered from his direct and personal possession that have been supported with ocular evidence of the witnesses recorded on</p>


SAYED FAZAL WADOOBI
Addl. District & Sessions Judge
Orakzai at Hangu

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/petitioner on the spot and recovery of huge quantity of chars connect the accused/petitioner with the commission of offence on its face and thus the Court is not inclined to extend him concession of bail at this stage.

6. For what has been discussed above, instant bail petition stands dismissed. File of this Court be consigned to District Record Room, Orakzai 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,
AD&SJ/JJC, Orakzai at Baber Mela