

**IN THE COURT OF FARMAN ULLAH,**  
SENIOR CIVIL JUDGE/JM, ORAKZAI AT BABER MELA

**ORDER**  
18/01/2022

Instant bail petition received on transfer from the court of learned JM-I, Orakzai vide order of Honourable Sessions Judge, Orakzai dated 18.01.2022. It be registered.

APP for the state present. Counsel for the accused/petitioner present. Record received.

The petitioner named Jamshed Khan has applied for his post arrest bail in connection with case FIR No. 01 dated 03/01/2022 u/s 11(A) CNSA registered in PS Kuraiz Lower Orakzai.

Arguments heard and file perused.

Perusal of the record reveal that accused/petitioner has been charged in the instant case with the allegations that police recovered 45 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 and time of occurrence is day light but in spite 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**  
18.01.2022

**FARMANULLAH**  
Senior Civil Judge  
Orakzai at Baber Mela  
**Farmān Ullāh**  
Senior Civil Judge/JM,  
Orakzai at Baber Mela.