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

BA No. 124/4 of 2021

Maveez 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 | 22/12/2021 | <p>Mr. Abid Ali 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 Maveez Khan son of Niaz Bar Khan resident of Qaum Aka Khel, District Khyber.</p> <p>3. Mr. Aftab Khan SHO of Police Station Kurez, Orakzai was available on barricade. A Pickup vehicle was stopped for search at barricade. On suspicion, a personal search of one Maveez Khan son of Niaz Bar Khan, the local police recovered 01 packet of chars covered in yellow scotch tape from his badh shalwar measuring 1010 grams chars in total. Criminal Law was brought into motion against the accused and resultantly, FIR bearing No. 35 dated: 14/12/2021 was registered against the accused by attracting Section 9-D of the KP Control of Narcotics Substances Act, 2019; in Police Station Kurez Boya of District Orakzai. The accused was arrested on spot who was later on remanded to Judicial Lockup. Consequently, application for release the accused named above 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 and deep appreciation of evidence is neither required nor warranted. The accused/petitioner was allegedly carrying chars in his badh Shalwar and was arrested on the spot; but, no private witness has been associated with the recovery proceedings. The quantity of 1010 grams of alleged chars were allegedly recovered from the direct and personal possession of accused; yet, report of the Forensic</p> |



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

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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 tune of rupees 100,000/-; 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
Additional Sessions Judge/JSC
Orakzai at Baber Mela