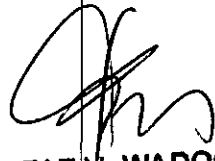


**IN THE COURT OF ADDITIONAL SESSIONS JUDGE/JUDGE SPECIAL COURT  
ORAKZAI, AT BABAR MELA**

BA No. 22/4 of 2022  
Rab Nawaz 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 No 3	03/03/2022	<p>Mr. Sana Ullah khan Advocate for accused/petitioner and Mr. Javid Akhtar Wazir Sr.PP for State are in attendance.</p> <p>2. This is the disposal of Post arrest bail application presented by accused/petitioner Rab Nawaz s/o Gul Nawaz Khan r/o Tang Samana, District Orakzai.</p> <p>3. Mr. Abdur Rauf Khan, ASI of Police Station Ghiljo, Orakzai was reportedly on patrolling of the area. One Rab Nawaz s/o Gul Nawaz Khan was coming towards the barricade while having 01 packed bag in his right hand. On suspicion, he was searched and 01 plastic bag measuring 950 grams of chars were found in possession of such person. Criminal Law was brought into motion against the accused and resultantly, FIR bearing No. 03 dated: 23/02/2022 was registered against the accused by attracting Section 9-C of the Control of KP Narcotics Substances Act, 2019 in Police Station Ghiljo of District Orakzai. The accused was arrested on spot who was later on remanded to Judicial Lockup. Consequently, application for release of accused on bail is presented which is under consideration.</p> <p>4. Learned counsel for accused/petitioner and learned Senior 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 is neither required nor warranted. The accused/petitioner was allegedly carrying chars in shopping bag in his right hand and was arrested on the spot; but, no private witness has been associated with the recovery proceedings. The quantity of 950 grams of chars was allegedly recovered from his direct and personal possession; yet, report of the Forensic Science Laboratory is still awaited and determination of the recovered material</p>

  
**SAYED FAZAL WADOOD**  
 Addl. District & Sessions Judge  
 Orakzai at Hangu

(4)

as chars is pre mature. More so, the prosecution is also not claiming that the accused was previously involved in the same nature of cases. The case of accused/petitioner is also not falling within the ambit of prohibitory Clause of Section-497 of the Criminal Procedure Code, 1898. 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 100,000/-; with two sureties, each in the like amount; to the satisfaction of this Court.

7. 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.

8. Announced in open Court.



**SAYED FAZAL WADOOD**  
Additional Sessions Judge/JSC  
Orakzai at Baber Mela