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

BA No. 93/4 of 2022  
Islam 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	12/09/2022	<p>Mr. Khurshid Alam Advocate, counsel for accused/petitioner; Mr. Zubair APP for State are in attendance.</p> <p>2. This is the disposal of Post arrest bail application presented by accused/petitioner Islam son of Kaaly Khan r/o Gowt Raza Tehsil Ahmed Pur District Bahawal Pur.</p> <p>3. Mr. Hassan Jan SHO and other Police officials of Police Station Kurez Boya, Orakzai were available on barricade at Taazi Khel Checkpost. One person namely Islam was moving on Motor Cycle towards the Check post; while on suspicion, he was searched and recovered 01 envelop of ICE (Methamphetamine) from the side pocket of his Shirt. On measuring of such recovered ICE, it were found 15 grams. Criminal Law was brought into motion against the accused and resultantly, FIR bearing No. 16 dated: 19/08/2022 was registered against the accused by attracting Section 11-A 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 of accused 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 evidence is neither required nor warranted. The accused/petitioner was allegedly carrying ICE in his pocket and was arrested on the spot; but, no private witness has been associated with the recovery</p>

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

proceedings. The quantity of 15 grams of ICE were allegedly recovered from the direct and personal possession of accused; yet, report of the Forensic Science Laboratory is still awaited and determination of the recovered material as ICE is still awaiting. 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 80,000/-; with 02 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,  
AD&SJ/JSC, Orakzai at Baber Mela