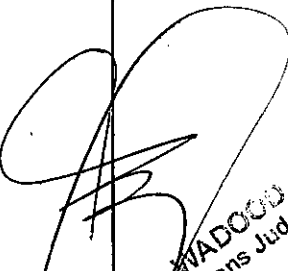


**IN THE COURT OF ADDITIONAL SESSIONS JUDGE/JUDGE SPECIAL COURT
ORAKZAI, AT BABAR MELA**

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
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1	2	3
Order	22/10/2022	<p>Mr. Noor Mir Jan Orakzai Advocate 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 Asif alias Faiz khan son of Sharbat resident of Qum Meshti, Mamozai, District Orakzai.</p> <p>3. Mr. Saleem Khan SHO of Police Station Ghiljo, Orakzai was reportedly available on barricade. A land cruiser jeep of red wine color bearing registration No. SAH-27 was stopped for search at Check Post. Dast Ali Jan s/o Khaista Khan was driving the vehicle; Muhammad Ishtiq s/o Abdul Kamal was setting on front seat; whereas, Asif alias Faiz Khan s/o Sharbat Khan was setting on second seat of the vehicle. On suspicion, the vehicle was searched; 03 packets measuring 1100 grams each with total of 3300 grams of chars were found in possession of person setting in second seat of the vehicle. A 9mm pistol bearing No. TFM-20671 with fixed charger and live rounds was recovered from the driver and on bottle locally manufactured wine was recovered from the man on front seat. Criminal Law was brought into motion against the accused and resultantly, FIR bearing No. 27 dated: 29/07/2021 was registered against the accused by attracting Section 9-D of the KP Control of Narcotics Substances Act, 2019; Section-4 of the Prohibition Order and Section 15 of KP Arms Act 2013, in Police Station Ghiljo of District Orakzai. The accused were arrested on spot who were later on remanded to Judicial Lockup. Consequently, all of the accused have been extended concession of bail. Trial was commenced and two out of three accused have been acquitted. The petitioner was indicted and prosecution</p>


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

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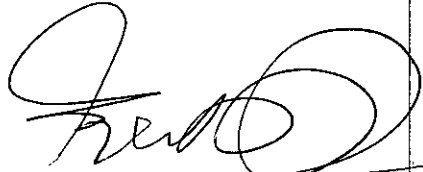
was directed to produce evidence. During course of evidence, petitioner remained absent and proceeded against under Section 512 of the Code of Criminal Procedure, 1898. Accused was arrested in pursuance of perpetual warrant of arrest and was remanded to judicial lock-up. Application for release of the accused named above on bail is presented which is under consideration.

4. Learned counsel for accused/petitioner and learned Assistant Public Prosecutor for State were heard at length and file gone through.

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 has already been granted bail on merits and reopening of the case is therefore unnecessary. The point of determination for this Court at this stage is that whether absence of petitioner was willful or otherwise. Petitioner has taken the plea of illness and had annexed the relevant documents of Bilal Hospital Rawalpindi which support his version.

6. For what has been discussed above, instant bail petition stands allowed subject to furnishing bail bonds to the tune of Rs. 100,000/- with two sureties; each in the like amount; to the satisfaction of this Court. The petitioner is directed to remain careful in future. 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