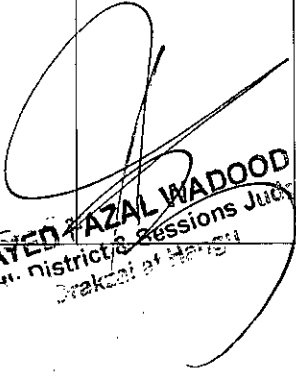


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**IN THE COURT OF ADDITIONAL SESSIONS JUDGE/JUDGE SPECIAL COURT  
ORAKZAI, AT BABAR MELA**

BA No. 115/4 of 2022  
Subidar Gul \_\_\_\_\_ 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	07/12/2022	<p>Mr. Aurangzeb Khan Advocate for petitioner and Mr. Zubair Assistant Public Prosecutor for State are in attendance. Arguments heard; whereas, this is the disposal of petition for grant of post arrest bail.</p> <p>2. This Post arrest bail application is presented by accused/petitioner Subidar Gul s/o Kasteer Gul r/o Ali Khel Tappa Jasrat Khel, District Orakzai.</p> <p>3. Muhammad Younis, SHO of Police Station Central Mishti Mela, Orakzai was reportedly available on barricade at Police Post of Esa Khel Ziyarat. One multi-purpose vehicle with the name of Toyota Pickup without registration number was stopped for routine search. Petitioner wearing a blanket was suspected. On his body search, chars measuring 3000 grams have been recovered from his armpit. Sample of 10 grams has been separated for its analysis through lab. Card of arrest has been issued; recovery memo was prepared and Murasila was drafted for brining criminal law into motion. Resultantly, FIR bearing No. 44 dated: 27/11/2022 was registered against the accused by attracting Section 9-D of the Control of KP Narcotics Substances Act, 2019 in Police Station Central Mishti Mela 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 and deep appreciation is neither required nor warranted</p>

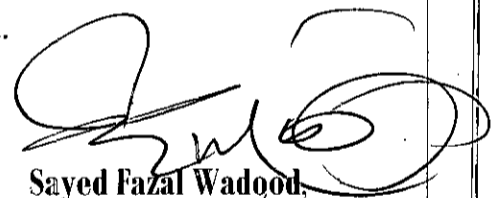
  
**SAYED FAZAL WADOOD**  
Addl. District & Sessions Judge  
Orakzai at Babar Mela

at this stage of bail. The accused/petitioner was allegedly carrying chars in shopping bag in his axillary cavity and was arrested on the spot; but, no private witness has been associated with the recovery proceedings. The accused was travelling in passenger vehicle but neither any passenger, nor driver or cleaner of the vehicle has been associated with recovery proceedings. The report of the Forensic Science Laboratory is still awaited and determination of the recovered material 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. 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 150,000/-; 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,  
ASJ/JSC, Orakzai at Baber Mela