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**IN THE COURT OF ABDUL BASIT  
ADDITIONAL SESSIONS JUDGE-II, ORAKZAI**

**Petition No. 12/BA of 2024**

*"Abdullah... Versus ... The State"*

**Order---3**

29.02.2024

Mr. Abid Ali Advocate for accused/petitioner; DyPP for State are in attendance.

Accused/petitioner Abdullah s/o Mansab Ali seeks his post arrest bail in case FIR no. 07 dated: 21.02.2024 under section 9D KP CNSA of Kurez Boya Police Station, Orakzai.

Complainant and other police officials during routine patrolling confronted a person who was going towards Palosi side; that on his personal search, complainant recovered one packet of chars from his trouser fold wrapped in yellow scotch tape, having weight of 1000 grams, out of which 10 grams of chars was separated and packed in parcel no. 1 for FSL and the balance chars was packed in parcel no. 2; hence, the accused was arrested and the FIR was registered.

Arguments heard and record gone through.

Perusal of the record reveals that recovery of chars was shown to has been affected from the immediate possession of accused/petitioner. Though, there is no mandatory provision in such like cases to associate private witnesses, however, their association is also not expressly barred in cases, where there is availability of the public on the spot. In the instant case, record shows that the recovery has allegedly been made from the accused/petitioner from public place; therefore, the local police was supposed to associate private witnesses but they did not. FSL report is not received so far as to determine that whether the recovered contraband is chars or something else. As per available record, accused/petitioner has no history of involvement in such like cases. All of above facts make the case of accused/petitioner one of further inquiry; therefore, keeping him behind the bar would serve no useful purpose.

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*29/02/2024*  
**Abdul Basit**  
Addl: District & Sessions Judge-II  
Orakzai at Baber Mela,  
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Contd---3  
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So, in the circumstances the bail application is accepted and accused/petitioner is admitted to bail provided he furnishes bail bonds in sum of Rs. 100,000/- with two sureties each in the like amount to the satisfaction of this court. Sureties must be local, reliable and men of means. My order is tentative in nature and shall have no bearings on merits of the case. Copy of this order be placed on judicial and police files.

Requisitioned record be returned to the quarter concerned and file of this court be consigned to record room after necessary completion and compilation.

**Announced**  
29.02.2024

  
(Abdul Basit)  
Addl. Sessions Judge-II, Orakzai