

**IN THE COURT OF BAKHT ZADA ADDITIONAL SESSIONS JUDGE-I,**  
**ORAKZAI AT BABER MELA**

Bail Application No : 04/BA of 2024  
Date of Institution : 23.10.2024  
Date of Decision : 24.10.2024

**JAVID AFRIDI VS THE STATE**

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**ORDER**  
24.10.2024

- DyPP, Iftikhar Ahmad for the State present. Mr. Khursheed Alam Advocate and Sana Ullah Khan Advocate for accused/petitioner present. Their wakalat-namas placed on file. Record received. Arguments heard and record gone through.
2. The accused/petitioner namely, Javid Afridi S/O Haya Gul R/O Aka Khel, District Khyber is seeking his post arrest bail in case FIR No. 104, Dated 19.10.2024, registered U/S 9-D CNSA, registered at Police Station Kalaya.
3. Facts of the case are that, Nasir Ahmad SHO sent Murasila through constable Muhammad Irshad No. 336, according to which he along with constable Muhammad Irshad No. 336, Farman Ullah No. 1208 and driver Irshad Ali No. 663 were on gasht of the area in the official vehicle. When they reached at the place of occurrence, main metaled road from village Bezote at the distance of 4/5 KMs east from the PS, a person having a plastic bag of blue colour in his hand was walking nearby. He was stopped in dubious condition. Nothing was recovered during his body search, while

*Sana Ullah Khan*  
24.10.24  
**BAKHT ZADA**  
Addl. District & Sessions Judge-I,  
Orakzai at Hangu

on checking the blue colour plastic bag, two packets of Chars wrapped in yellow scotch tape were recovered. Each packet was found 1000 grams on weighing through digital scale. 10 grams were separated from each packet and closed in parcel No. 1 into and sent to FSL for chemical examination, while remaining 1980 grams chars were sealed into parcel No. 3. Video of the recovered chars was prepared on the mobile phone through Constable Irshad Ali which was converted into USB and sealed into parcel No. 4. One stamp of "NA" were sealed into parcel, while 03 stamps were affixed on each parcel. The person disclosed his name as Javid Afridi S/O Haya Gul. He was arrested at the spot. His card of arrest was prepared. Murasila along with card of arrest and recovery memo were sent to the PS through Constable Muhammad Irshad No. 336 and hence, the instant FIR;

4. Arguments heard and available record perused which shows that allegedly the accused/petitioner is charged for having 2000 grams of chars in his possession. The police have not annexed any history sheet regarding involvement of accused/petitioner in such like offences with the record which suggest that the accused is first offender. The allegations levelled against the accused/petitioner are yet to be proved. The accused/petitioner has not confessed his guilt despite of one day physical custody granted by the learned Judicial Magistrate. FSL report is yet to be received. I,

*Saker*  
24.10.24  
**BAKHT ZADA**  
Addl. District & Sessions Judge-1,  
Orakzai at Haragu

therefore, accept the instant bail application. Accused/petitioner be released on bail subject to submission of bail bonds in the sum of Rs. 100,000/- with two sureties each, each in the like amount to the satisfaction of court. The sureties must be local, reliable and men of means.

5. Copy of this order be placed on police/judicial file. Case file be consigned to the record room after its necessary completion and compilation while record be returned back to the quarter concerned.

**Announced**  
24.10.2024

*Sarver*  
*24.10.24*

**BAKHT ZADA**  
Additional Sessions Judge-I, Orakzai  
at Baber Mela