

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

Bail Application No : 47/4 of 2025  
Date of Institution : 06.05.2025  
Date of Decision : 08.05.2025

RIZWAN ULLAH VS THE STATE

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ORDER  
08.05.2025

APP, Arif Akbar for the State present. Mr. Abid Ali Advocate for accused/petitioner present. Record already received. Arguments heard and record gone through.

2. The accused/petitioner namely, Rizwan Ullah S/O Talib Jan R/O Quam Mishti, Tappa Haider Khel, Tehsil Central, District Orakzai is seeking his post arrest bail in case FIR No. 29, Dated 04.05.2025, registered U/S 9-D CNSA, registered at Police Station Mishti Mela.

Facts of the case are that complainant Muhammad Younas PS Mishti Mela sent Murasila to the PS through constable Saleem Khan No. 1242, according to which on 04.05.2025 at 1400 hours on main road Mishti Mela to Dabori, he along with constables Fazal Hameed, Saleem Khan and other police officials along with driver Sami Ul Haq were busy in search and strike operation. In the meanwhile, a pedestrian having a plastic sack of black colour in his righthand coming from Dabori side. He was stopped in dubious condition. Nothing was recovered during his

*Done*  
*8.5.25*  
BAKHT ZADA  
Addl. Dist. & Sessions Judge-I,  
Orakzai at Hangu

body search, while on checking the black colour plastic sack, chars were recovered and found 2000 grams on weighing through digital scale. 10 grams were separated from plastic sack and closed in parcel No. 1 and sent to FSL for chemical examination; while remaining 1990 grams chars along with plastic sack was sealed into parcel No. 2. Video of the occurrence was prepared on the mobile phone through Constable Saleem Khan which was converted into USB and sealed into parcel No. 3. One stamp of "MY" were sealed into parcel, while 03 stamps were affixed on each parcel. The person disclosed his name as Rizwan Ullah S/O Talib Jan r/o Qoam Mishti, Tappa Haider Khel, Ibrahim Zona. 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 Saleem Khan no.1242 and hence, the instant FIR;

*Saleem*  
8-5-25  
FIR No. 29, Dated: 04.05.2025 U/S 9-D KP CNSA, PS Mishti Mela  
Addl. Dist. Judge-1  
Gakkar, Tal. Mishti

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. FSL report is yet to be received. Furthermore, it is mentioned in the report that the accused was coming

towards the police party from a quite considerable distance, the pedestrian/accused did not take u-turn despite of having alleged contraband chars in his possession which is against the natural conduct of a person and is not appealing to prudent mind in absence of solid evidence. I, 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  
08.05.2025

Bakht Zada  
8-5-25

BAKHT ZADA

Additional Sessions Judge-I, Orakzai  
at Baber Mela