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BA No. 106/4
JAWAD KHAN VS THE STATE
FIR No. 43, Dated 11.08.2025, u/s 11 (1) 3 KP CNSA,
POLICE STATION: KUREZ BOYA
IN THE COURT OF HAQ NAWAZ,
SESSIONS JUDGE/JUDGE SPECIAL COURT, ORAKZAI
AT BABER MELA

Bail Application No. : 106/4 of 2025
Date of Institution : 19.08.2025
Date of Decision : 19.08.2025

ORDER

Post arrest bail application received from the Court of learned Additional Sessions Judge-III, Hangu. It be registered.

2. Accused/petitioner present through his counsel. Sr. PP, Abul Qasim for the State. Record received. I heard arguments and perused the record.

3. Accused/petitioner, **Jawad Khan** s/o Wakeel Khan seeks his post-arrest bail in case FIR No. 43, Dated 11.08.2025 registered u/s 11 (1) 3 CNSA of Police Station Kurez Boya. As per contents of FIR, the complainant, Hajat Hassan SHO along with other police contingents were present on a picket during surveillance duty of the area on 11.08.2025 when a red colour motorcycle bearing registration No. LD1299/Peshawar, boarded by one person arrived there at about 1230 hours. The motorcycle was stopped and the rider was disembarked. A white plastic shopper was recovered from his side pocket. From the said shopper, the complainant recovered 60 grams of ICE. Hence, the present FIR.

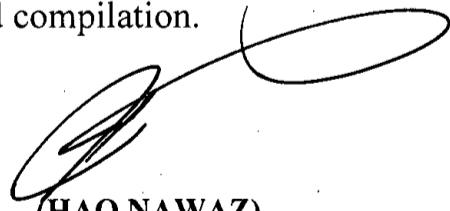
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Haq Nawaz
District & Sessions Judge
Orakzai at Baber Mela

4. After hearing both the parties and perusal of the record, it was found that though the accused/petitioner is directly nominated in the FIR with the allegation of recovery of 60 grams of ice. However, as per the Khyber Pakhtunkhwa Control of Narcotic Substances (Amendment) Act, 2025, the offence does not attract the prohibitory clause of section 497 Cr.P.C. The report of FSL is not available on file to show that whether the recovered substance was actually ice or otherwise. These facts make the case one of further inquiry.
5. Hence, in view of what is discussed above, the accused/petitioner is admitted to the concession of bail provided he submits a bail bond in sum of Rs. 50,000/- with two sureties each in the like amount to the satisfaction of this Court. The sureties must be local, reliable and men of means.
6. Copy of this Order be placed on police/judicial file. File of this Court be consigned to record room after its necessary completion and compilation.

Announced:

19.08.2025



(HAQ NAWAZ)

Sessions Judge/Judge Special Court,
Orakzai at Baber Mela