

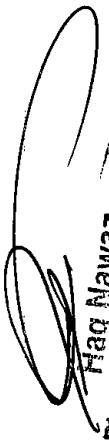
IN THE COURT OF HAQ NAWAZ,
SESSIONS JUDGE/JUDGE SPECIAL COURT, ORAKZAI
AT BABER MELA

Bail Application No. : 141/4 of 2025
Date of Institution : 01.10.2025
Date of Decision : 03.10.2025

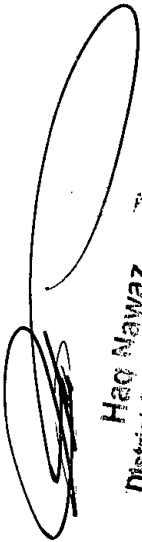
ORDER

Sana Ullah Khan Advocate for accused/petitioner
and Sr. PP, Abul Qasim for the State present.
Arguments heard and record perused.

2. Accused/petitioner, **Hameed Khan** s/o Yaqoob Khan seeks his post-arrest bail in case FIR No. 39, Dated 10.10.2023 registered u/s 9 (d) CNSA and 324/353/186/34 PPC of Police Station Kurez Boya. As per contents of FIR, the complainant, Younas Khan along with other police contingents were on surveillance duty of the area on 10.10.2023 when he received information that the accused Khyber, Younas and Hameed (petitioner), armed with weapons, were carrying plastic bags containing chars on their shoulders attempting to smuggle it to District Khyber. Upon the information, the complainant along with his officials rushed to Ghodzara road Crush Plant and found the above-named persons duly armed while carrying plastic bags on their shoulders were paddling towards District Khyber. The complainant further reported that he called the


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accused to stop but they threw the bags, opened fire upon the police officials and ran towards a hilly area at 11:30 hours. The police party also made firing at them in self-defense; as a result, the accused Khyber received minor injuries and all of them escaped from the spot in the hilly area. From the bag of accused Khyber, the complainant recovered 35 packets of chars, each weighing 1000 grams and wrapped in yellow scotch tape, making a total of 35,000 grams. Similarly, the bag of accused Younas led the complainant to the recovery of 35 packets of chars, each weighing 1000 grams and wrapped in yellow scotch tape, making a total of 35,000 grams. In the same manner, the complainant also recovered 30 packets packets of chars, each weighing 1000 grams and wrapped in yellow scotch tape, making a total of 30,000 grams from the bag of accused/petitioner Hameed. Hence, the present FIR.



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3. After hearing both the parties and perusal of the record, it was found that the accused/petitioner was neither arrested on the spot nor any recovery was effected from his direct possession. The co-accused with a similar role has already been admitted to bail; therefore, the present accused/petitioner is also admitted to bail on the basis of rule of consistency.

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4. Hence, in view of what is discussed above, the accused/petitioner is admitted to the concession of bail subject to submission of bail bonds to the tune 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.
5. 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:
03.10.2025



(HAID NAWAZ)

Sessions Judge/Judge Special Court,
Orakzai at Baber Mela