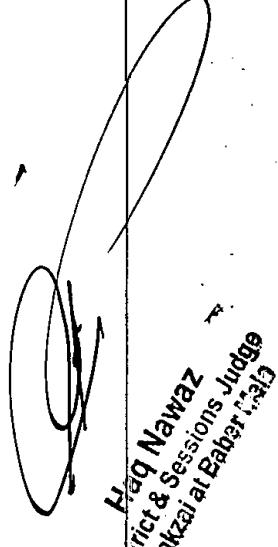


(2)

IN THE COURT OF SESSIONS JUDGE, ORAKZAI AT BABER MELA

Case Title: State VS Muhammad CSwan
 FIR no. 54, Dated: 26/09/2025 u/s 9 (3)(c)CNSA, PS Kurez

Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary.
1	2	3
Order No.01	06.12.2025	<p>Complete Challan along with an application by the DPP for the discharge of accused u/s 4-B (iv) 5-B of the (Khyber Pakhtunkhwa) Prosecution Service (Constitution, Functions and Powers) Act, 2005 received from the Court of SCJ/JM, Orakzai. It be registered.</p> <p>Case file be put up for arguments on the application on 13.12.2025.</p> <p style="text-align: right;"> HAQ NAWAZ Sessions Judge, Orakzai at Baber Mela</p>
Order No.02	13.12.2025	<p>Sr. PP, Abul Qasim for the State present. Arguments on application u/s u/s 4-B (iv) 5-B of the (Khyber Pakhtunkhwa) Prosecution Service (Constitution, Functions and Powers) Act, 2005 heard and record perused.</p> <p>The instant case was registered on 26.09.2025 vide FIR No. 54 u/s Section 9 (5) (c) KP CNSA. According to averments of the FIR, the SHO Police Station Kurez Boya along with other police contingents laid a barricade on main road Tazi Khel during surveillance duty of the area on 26.09.2025 when a Flying-Coach bearing Registration No. IDS 5171/Islamabad arrived there at 1000 hours. The vehicle was stopped and the driver was deboarded. The complainant recovered two packets of opium wrapped in yellow scotch tape from a cavity beneath the front seat of the vehicle. The packets were weighed through digital scale and one of the packets came out to be 1000 grams while the other was 700 grams, making a total of 1700 grams. The samples of 05 grams each were separated from the packets and sealed into parcels No. 1 to 2. The remaining contraband was packed and sealed in parcel No. 3. Videography of the occurrence was carried out through Constable Noor Muhammad which was converted into USB and sealed in parcel No. 4. The contraband and the vehicle bearing Registration No. IDS 5171/Islamabad were taken into possession vide recovery memo.</p> <p style="text-align: right;"> Haq Nawaz District & Sessions Judge Orakzai at Baber Mela</p>

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Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
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		<p>Complete Challan along with an application for the discharge of accused u/s 4-B (iv) 5-B of the (Khyber Pakhtunkhwa) Prosecution Service (Constitution, Functions and Powers) Act, 2005 was submitted.</p> <p>After hearing arguments on the application, it was found that though the accused was directly nominated in the FIR and he was arrested on the spot. However, the recovery of chars was neither effected from the immediate possession of the accused or upon his pointation. Moreover, the recovery memo does not bear the signatures of the marginal witnesses. The record is also silent regarding the previous history of the accused in such like cases in the past. During the investigation, the accused remained in custody of local police for sufficient time but he did not own the recovered contraband. The case in hand on the basis of said evidence, if proceeded, would bear no fruit except acquittal. Therefore, the learned DPP for the State has very rightly requested for the discharge of accused on the strength of weak evidence. The application of the DPP is accordingly accepted and the above-named accused is discharged from the allegations levelled against him. Accused is on bail, his bail bonds stand cancelled and sureties stand discharged from the liabilities of bail bonds. The case property be dealt with in accordance with law. File of this Court be consigned to record room after its necessary completion and compilation.</p> <p><u>Announced:</u> 13.12.2025</p> <p style="text-align: right;">HAQ NAWAZ Sessions Judge/JSC, Orakzai at Baber Mela</p>