

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

Bail Application No. : 2/4 of 2026

Date of Institution : 03.01.2026

Date of Decision : 09.01.2026

ORDER

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

Arguments already heard and record perused.

2. Accused/petitioner, **Qadir Khan** s/o Nadir Khan
seeks his post-arrest bail in case FIR No. 106, Dated
30.12.2025 registered u/s 9 (1) 3 (e) CNSA of Police
Station Mishti Mela. As per contents of FIR, the
complainant, SHO Shal Muhammad along with other
police contingents, during surveillance duty of the
area, received spy information regarding smuggling
via motorcar bearing Registration No. NDP-
1274/Orakzai. Upon this information, the
complainant laid a barricade on main road leading
from Mishti Mela to Kalaya on 30.12.2025 when a
blue motorcar arrived there at about 1810 hours. The
vehicle was stopped which was boarded by two
persons who were disembarked. The driver of the
vehicle disclosed his identity as Qabil Khan s/o Laiq
Shah whereas the other person disclosed his name as
Qadar Khan s/o Nadir Khan. The complainant found

03 white bags inside the trunk of the vehicle after opening its tailgate (trunk-lid). From each bag, the complainant recovered 10,000 grams of chars. Hence, the present FIR.

3. After hearing both the parties and perusal of the record, it was found that a huge quantity of chars has been recovered from the vehicle, which was boarded by the accused/petitioner at the relevant time and thus the same is *prima facie* to be considered in his conscious knowledge. The offence is punishable with imprisonment for life; thus, the same falls within the prohibitory clause of section 497 CrPC. All these facts disentitle the accused/petitioner from the concession of bail at this stage of the case. Accordingly, for the stated reasons, bail petition in hand stands dismissed being meritless.

4. 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:
09.01.2026


(HAQ NAWAZ)
Sessions Judge/Judge Special Court,
Orakzai at Baber Mela