

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

Bail Application No. : 6/4 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. Record received.

Arguments heard and record perused.

2. Accused/petitioner, **Muhammad Yajeed** s/o Hashim

Khan seeks his post-arrest bail in case FIR No. 77, Dated

27.07.2023 registered u/s 9 (d) of the Khyber

Pakhtunkhwa Control of Narcotic Substances Act, 2019

of Police Station Kalaya. As per contents of FIR, the

complainant, SHO Nasir Ahmad along with other police

contingents, during surveillance duty at Sheeraz Garhi

Bazar, received spy information regarding smuggling of

huge quantity of chars via motorcycle on main road

Anjani Bazar to Bara District Khyber. Upon this

information, the complainant laid a barricade on main

road Anjani Bazar to Bara District Khyber on 27.07.2023

when a motorcyclist with a white plastic bag tied on his

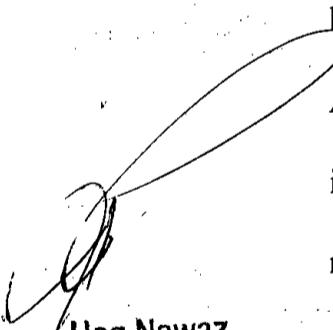
seat on reaching the police party turned back at 1100

hours who was chased but he abandoned the motorcycle

and made his escape good from the spot. From the said

bag, the complainant recovered 29 packets of chars

wrapped in yellow scotch tape and weighing 1000 grams


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each, making a total of 29,000 grams and an empty white plastic bag. Hence, the present FIR.

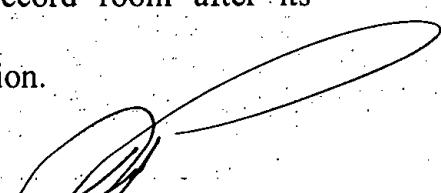
3. After hearing both the parties and perusal of the record, it was found that neither the accused/petitioner was arrested on the spot nor any recovery was effected from personal possession. There is no source of information as to how the complainant came to know within a short span of time that the fleeing person was the accused/petitioner. The recovery of alleged contraband was effected on 27.07.2023; however, the samples have been transmitted to the FSL on 02.08.2023 with an unexplained delay of 05-days. It is not appealable to prudent mind that how a person coming towards the police party fled away from their clutches despite being chased. Thus, the case of accused/petitioner needs further probe into his guilt, as such making him entitled for the concession of bail.

4. Hence, in view of what is discussed above, the accused/petitioner is admitted to bail subject to submission of bail bonds to the tune of Rs. 100,000/- 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:

09.01.2026


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