

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

Bail Application No. : 21/4 of 2026

Date of Institution : 24.01.2026

Date of Decision : 28.01.2026

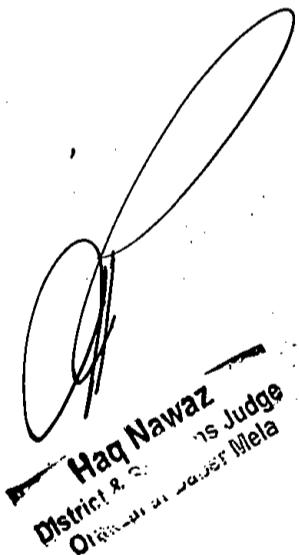
ORDER

Sana Ullah Khan Advocate for accused/petitioners and

Sr. PP, Abul Qasim for the State present. Record

received. Arguments heard and record perused.

2. Accused/petitioners, **Aziz Ur Rehman** s/o Sameel Khan and **Muhammad Umar** s/o Multan Sher seek their post-arrest bail in case FIR No. 01, Dated 03.01.2026 registered u/s 11 (1) 5 CNSA of Police Station Mishti Mela. As per contents of the FIR, the complainant, SHO Shal Muhammad along with other police contingent, during surveillance duty of the area on 03.01.2026, received spy information regarding smuggling of narcotics by ICE seller namely Muhammad Umar and Aziz Ur Rehman from Dara Hassanzai towards Mishti Mela. The complainant, acting on the information, laid a barricade on main road leading from Mishti Mela to Dara Hassanzai when two persons arrived there at 1530 hours who were stopped. One of them disclosed his name as Muhammad Umar whose personal search led the complainant to the recovery of a white plastic envelope containing 500 grams of ICE from his side pocket. The complainant also recovered a white plastic envelope from



the trouser-fold of the other person who disclosed his name as Aziz Ur Rehman. Hence, the present FIR.

3. After hearing both the parties and perusal of the record, it was found that though the accused/petitioners are directly charged in the FIR. 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 of accused/petitioner one of further inquiry.
4. Hence, in view of what is discussed above, the accused/petitioners are admitted to bail subject to submission of bail bonds to the tune of Rs. 50,000/- with two sureties each, 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:  
28.01.2026

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