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

Bail Application No.	:	40/4 of 2026
Date of Institution	:	19.02.2026
Date of Decision	:	19.02.2026

ORDER

Bail Application received from the Court of SCJ/JM, Orakzai. It be registered.

2. Taza Khan Advocate for accused/petitioner and Sr. PP, Abul Qasim for the State present. Record received. Arguments heard and record perused.

3. Accused/petitioner, **Mustaqeem** s/o Aziz Khan seeks his post-arrest bail in case FIR No. 26, Dated 21.04.2024 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 Shal Muhammad along with other police personnel, while responding to information regarding smuggling of huge quantity of chars from Anjani Bazar via motorcycle, laid barricade on main pukhta road near Mandra Khel Check-Post on 21.04.2024 when a motorcycle came there from Syed Khalil at 1200 hours, who was wearing a plastic bag. He was stopped and disembarked. The search of the bag led to the recovery of 20,000 grams of chars garda. He disclosed his name as Hashmat Ullah. Hence, the

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present FIR. The accused/petitioner was nominated in the instant case on the basis of the statement of co-accused Hashmat Ullah recorded u/s 161 CrPC.

4. After hearing both the parties and perusal of the record, it was found that there is nothing on the case file to connect the accused/petitioner with the commission of offence except the statement u/s 161 CrPC of the co-accused from whom the recovery was effected and has already been admitted to bail being a juvenile. Neither the accused/petitioner was arrested on the spot nor any recovery was effected from his personal possession. There is no confessional statement of the accused/petitioner.

5. 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.

6. 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:
19.02.2026

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