

IN THE COURT OF JUDICIAL MAGISTRATE-II, KALAYA, ORAKZAI

Bail Petition8/4 of 2026.

Date of institution.....21.02.2026.

Date of decision.....23.02.2026.

Order – 02

23.02.2026

None present for the state. Counsel for accused/petitioner present. Record received. Arguments heard and record gone through.

Accused/petitioner namely Niknab Ali S/O Jamshid Ali, R/O Qoum Mani Khel, Tehsil Lower District Orakzai is seeking his post arrest bail in case FIR No. 23 dated: 17.02.2026 U/S 11(i)3 CNSA, PS Kalaya, Orakzai.

Perusal of record reveals that recovery of 53-gram ICE from the direct possession of the accused/petitioner. The offence is heinous in nature and affects the society at large. Although, the offence for which accused/petitioner is charged does not fall within the ambit of prohibitory clause of Section 497 Cr. PC but this fact by itself will not create a right in favor of accused/petitioners for grant of bail as there is sufficient material available on record connecting the accused/petitioners with the commission of the offence. Deeper


MUHAMMAD JUNAID ALARR
Civil Judge / JM-II
Orakzai at Kalaya

appreciation of evidence is not permissible at bail stage. All narcotics are non-bailable in nature.

Consequently, the application in hand is turned down. Copy of this order be placed on judicial as well as police file. Requisitioned record be sent back to the quarter concerned forthwith.

File be consigned to record room after its necessary completion and compilation.

ANNOUNCED:

23.02.2026.



Muhammad Junaid Alam
Judicial Magistrate-II,
Tehsil Kalaya, Orakzai