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

Bail Petition .....6/4 of 2026.

Date of institution.....19.02.2026.

Date of decision.....20.02.2026.

Order – 03
20.02.2026

None present for the state. Attested W/N submitted, which is placed on file. Record already received. Record perused.

Accused/petitioner namely Ismail S/O Sharbat Khan, R/O Qoum Feroz Khel, Tehsil Lower District Orakzai is seeking his post arrest bail in case FIR No. 25 dated: 17.02.2026 U/S 11(i)2 CNSA, PS Kalaya, Orakzai.

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

Perusal of record reveals that recovery of 40-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/petitioner for grant of bail as there is sufficient material available on record connecting the accused/petitioner with the commission of the offence. Deeper

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:
20.02.2026

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