

IN THE COURT OF ASGHAR SHAH  
SESSIONS JUDGE/JUDGE SPECIAL COURT, ORAKZAI  
AT BABER MELA

Bail Application No : 72/4 of 2020  
Date of Institution : 05.12.2020  
Date of Decision : 08.12.2020

PEER MUHAMMAD VS THE STATE

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ORDER

DPP, Umar Niaz for State and Abid Ali Advocate for accused/petitioner present. Record received. Arguments heard and record gone through.

2. Accused/petitioners, Peer Muhammad in the above titled case where is accused Salih Khan in bail petition no. 73/4 of 2020 seek their release on bail in case FIR No. 123, dated 03.12.2020 registered U/S 9 (d) KP CNSA & 15AA at Police Station Lower Orakzai Kalaya, wherein accused/petitioner Peer Muhammad is charged for having in his possession 30 bore pistol alongwith 25 cartridges without license or permit whereas accused Salih Khan is charged for having in his possession 1040 grams chars.

3. From the arguments and record available on file, it reveals that the FSL report is not available

on the case file to determine either the working capability of the recovered weapon or to determine the nature of the chars recovered. Accused/petitioners after their arrest have gone through the process of investigation but neither they confessed their guilt nor anything incriminating recovered from their possession during the said period of investigation. No past criminal history either of involvement or conviction of the accused/petitioners was brought on record. As such further enquiry would be attracted to the case of accused/petitioners and their case is thus arguable for the purpose of bail.

4. Accordingly, for the reasons briefly mentioned above, both the bail petitions in hand stand accepted and accused/petitioners are admitted to bail subject to furnishing bail bonds in the sum of Rs. 100,000/- with two sureties each, each in the like amount to the satisfaction of this court. The prosecution is directed to submit complete challan of the accused within seven (07) days positively.
5. File be consigned to Session Record Room after its necessary completion and compilation.

**Announced**  
08.12.2020

— SD —

**ASGHAR SHAH**  
Sessions Judge/ Judge Special  
Court, Orakzai at Baber Mela