

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

Bail Application No : 106/4 of 2021  
Date of Institution : 06.04.2021  
Date of Decision : 08.04.2021

RAZA BADSHAH VS THE STATE

ORDER

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

2. Accused/petitioner, Raza Badshah seeks his release on bail in case FIR No. 03, dated 27.03.2021 registered U/S 15AA and 11-A CNSA at Police Station Dabori Upper Orakzai, wherein he is charged for having in his possession unlicensed 30 bore pistol alongwith 25 cartridges as well as for having 13 grams ice.
3. Bail petition of the accused/petitioner was turned down by the court of JM-I, Orakzai vide order dated 06.04.2021, hence the bail petition in hand.
4. From the arguments and record available on file, it reveals that the offences carry punishment up to 7 years and as such would not attract the



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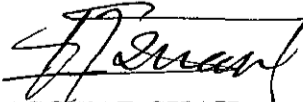


prohibitory clause of Section 497 Cr.P.C. The FSL report is not available to determine the nature of substance recovered as well as to determine the working capability of the recovered pistol. Accused/petitioner, after his arrest, has gone through the process of investigation but neither he confessed his guilt nor anything incriminating recovered from his possession during the said period of investigation. No past criminal history either of involvement or conviction of the accused/petitioner was brought on record. As such further enquiry would be attracted to the case of accused/petitioner and his case is thus arguable for the purpose of bail.

5. Hence, in the light of above, the bail petition in hand stand accepted and accused/petitioner is admitted to bail in sum of rupees 100,000 with two sureties, each in the like amount to the satisfaction of this court. The prosecution is directed to submit complete challan against the accused/petitioner forthwith.

6. File be consigned to Session Record Room for after further necessary compilation and completion.

**Announced**  
08.04.2021

  
**ASGHAR SHAH**  
Sessions Judge, Orakzai  
at Baber Mela

