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**IN THE COURT OF SHAUKAT AHMAD KHAN**  
**SESSIONS JUDGE, ORAKZAI (AT BABER MELA)**

CR. MISC. APPLICATION NO. : 39/4 OF 2021  
DATE OF INSTITUTION : 13.08.2021  
DATE OF DECISION : 24.08.2021

HIFAZAT ALI S/O SAJID ALI, TRIBE SIPOYE, TEHSIL LOWER,  
DISTRICT ORAKZAI  
..... (PETITIONER)

-VERSUS-

STATE THROUGH SHAL MUHAMMAD SHO PS LOWER  
ORAKZAI  
..... (RESPONDENT)

**Present:** Insaf Ali Advocate for petitioner.  
: Umar Niaz, District Public Prosecutor for state.

**FIR No. 98**                      **Dated:** 02.08.2021                      **U/S:** 9 (d) CNSA  
**Police Station:** Kalaya Lower Orakzai

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**ORDER:**  
24.08.2021

Petitioner, Hifazat Ali seeks return of motorcycle having registration no. V3724, chassis no. U994623 taken into possession by the local police in the subject case FIR, wherein, as per contents of FIR, the petitioner was found in possession of 1200 grams chars while riding the motorcycle in question.

Arguments heard and record perused.


Perusal of case file shows that the recovery of chars has not been shown made from the motorcycle in question. Petitioner is the last possessor of the motorcycle in question. At present there is no rival claimant. Moreover, the investigation in the instant case is complete and the

24/08/21 (2).  
Shaukat Ahmad Khan  
District & Sessions Judge,  
Orakzai at Baber Melan

motorcycle in question is no more required for further investigation.

- (4). Hence, the petition in hand is accepted and the motorcycle in question be returned to the petitioner subject to furnishing two surety bonds in the sum of Rs. 50,000/- to the satisfaction of this court to the effect that the petitioner would be bound to produce the motorcycle is and when required to the court by the court. Consign.

**Pronounced**  
24.08.2021

  
**SHAUKAT AHMAD KHAN**  
Sessions Judge, Orakzai  
at Baber Mela