

(15)

IN THE COURT OF SHAUKAT AHMAD KHAN
SESSIONS JUDGE, ORAKZAI AT BABER-MELA

Bail Application No : 95/4 of 2022
Date of Institution : 01.11.2022
Date of Decision : 03.11.2022

HAIDER SHAH VS THE STATE

ORDER

DPP, Umar Niaz for the State and Noor Karim Advocate for accused/petitioner present. Attested copies of record received. Arguments heard and record gone through.

2. Accused/petitioner, Haider Shah s/o Meena Dar, after being refused to be released on bail vide order dated 31.10.2022 of learned Senior Civil Judge/Judicial Magistrate, Orakzai, seeks his post-arrest bail in case FIR No. 22, dated 25.10.2022, u/s 15AA of Police Station Dabori, wherein, as per contents of FIR, the complainant along with other police officials acting on information regarding smuggling of arms and ammunitions via motorcar, laid a picket at Arhanga check-post where a motorcar bearing no. LXB-8414/Lahore driving by the accused/petitioner Haider Shah along with his co-accused Sahib Noor occupying front seat of the motorcar, was stopped wherein 01 Kalashnikov bearing no. 1953-716778 with one fixed and one

Shaukat Ahmad Khan
District & Sessions Judge
Orakzai at Baber Mela

16

spare charger along with 900 rounds of 7.62 bore, 1045 rounds of Dangar bore (Draganov) and 360 rounds of 7.62x54 mm were recovered from a secret cavity the motorcar. Hence, the present FIR.

3. It is evident from the record that though the accused/petitioner is directly nominated in the FIR and huge quantity of arms and ammunitions have been shown recovered from possession of the accused/petitioner but the offence for which the accused/petitioner is charged does not fall within the prohibitory clause of section 497 Cr.P.C and the investigation in the instant case is complete and the accused/petitioner is no more required to the police for further investigation.

4. Hence, in view of what is discussed above, the accused/petitioner is admitted to the concession of bail provided he submits a bail bond in the sum of Rs. 100,000/- with two sureties, each in the like amount to the satisfaction of Judicial Magistrate concerned/MOD. Consign.

Pronounced:
03.11.2022



SHAUKAT AHMAD KHAN
Sessions Judge, Orakzai
at Baber Mela