

(15)

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

Bail Application No : 94/4 of 2022.
Date of Institution : 01.11.2022
Date of Decision : 03.11.2022

SAHIB NOOR 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, Sahib Noor s/o Khial Noor, 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 co-accused Haider Shah along with the present accused/petitioner Sahib Noor occupying front seat of the motorcar, was stopped wherein 01 Kalashnikov bearing no.

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Orakzai at Baber Mela

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1953-716778 with one fixed and one spare charger along with 900 rounds of 7.62 bore, 1045 rounds of Dargar 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