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**COURT OF SENIOR CIVIL JUDGE/JM, ORAKZAI AT BABER MELA**

Case Title: Ashraf VS State

Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
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Order No. 01	07.06.2024	<p>Superdari petition submitted by the counsel for the petitioner. Be registered. Notice to prosecution and record be requisitioned for 11.06.2024.</p> <p style="text-align: right;"><i>Saeed</i> 12.6.24 <b>Bakht Zada</b> Senior Civil Judge/JM, Orakzai (at Baber Mela)</p>
Order No. 02	11.06.2024	<p>DPP for the state present. Petitioner Ashraf Ali through Shaheen Muhammad advocate present. Petitioner Ashraf Ali seeking return of motorcar bearing registration No. M-2024 Peshawar, silver colour, model: 1999, chassis No. PK-65311149, Engine No. PK-6V-9704381, which was taken into possession by the local police of PS Kurez Boya, Lower Orakzai in case FIR No. 18, Dated: 17.04.2024, u/s 15AA/17AA.</p> <p>According to petitioner, the vehicle in question is in custody of the local police in the above-mentioned case. The petitioner is last possessor and real owner of the vehicle and the same is used for personal use. That there is apprehension of deterioration and damage to the car in the PS.</p> <p>Facts as alleged in the report are that complainant Altaf Ali, ASHO along with other police contingents were on gusht near Government Middle School, Waam Panra at the distance of 9/10 kms from PS towards South. The</p>

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<p>Order No. 02 Continued</p>	<p>11.06.2024</p>	<p>informer informed that today heavy quantity of weapons will be smuggled in the above-mentioned car. On the said information, barricade was made. Meanwhile, the above-mentioned car came from Bashi Patay side which was stopped. The driver along with other 02 persons were present in the car. The driver disclosed his name as Ashraf s/o Peer Gul, R/O Orakzai and on his body search, one 30 bore pistol, bearing No. 31142842 along with fixed magazine and 07 live rounds of 30 bore and along with leather cover of the pistol were recovered. The other passenger seated on the front seat disclosed his name as Aleem Abbas and on his body search, one 9MM pistol, bearing No. 05936420296 along with fixed and spare magazine and 35 live rounds of 9MM were recovered from his possession. The person seated on the back seat disclosed his name as Ahmad Abbas s/o Muhammad Shafique and one 30 bore pistol, bearing No. 1612 along with fixed magazine and 07 live rounds of 30 bore were recovered from him. The truck of the vehicle was searched from where 01 RPG-07, bearing No. NPC-248 and 02 Kalashnikov folding butt, bearing No. MK-5665 and <math>\Delta</math>56-1#17175466 along with 02 fixed chargers, 03 spare chargers containing 173 live rounds of 7.62 bore and bandolier were recovered. All the 03 pistols along with live rounds mentioned above were sealed into parcel No. 01,</p>
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*Bakht Zada*  
BAKHT ZADA  
Senior Civil Judge/JM  
Orakzai at Baber Mela

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<p>Order No. 02 Continued</p>	<p>11.06.2024.</p>	<p>RPG-7 is sealed into parcel No, 02. The above-mentioned 02 Kalashnikovs, spare magazines, live rounds and bandoliers were sealed into parcel No. 03. Video through mobile phone was prepared and the USB was sealed into parcel No. 04. All the 03 parcels were marked by putting stamps "AA" over the same. A motorcar bearing registration No. M-2024 Peshawar, having chassis No. PK-06-5311149 along with keys were taken into possession u/s 523/550 Cr.P.C on separate recovery memo. The accused were arrested. Their card of arrest was prepared.</p> <p>Arguments heard. The perusal of record shows that the vehicle in question has been taken into possession u/s 523/550 Cr.P.C in the above-mentioned FIR on 17.04.2024, but the case file is silent about the conclusion of inquiry in respect of the vehicle.</p> <p>Today Naib Court of this court is asked to inform the concerned PS to provide the inquiry file if any but he was telephonically informed that no inquiry has yet been conducted. Today the petitioner/last possessor of the vehicle produced the original registration book of the vehicle which shows that the vehicle has been registered in his name and he is owner as well as last possessor of the vehicle. There is apprehension of damage to the vehicle if left unattended under the open sky for indefinite period. I therefore accept the instant application. SHO PS Kurez</p>
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*Jawid*  
11-6-24

**BAKHT ZADA**  
Senior Civil Judg/JM  
Orakzai at Baber Mela

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<p>Order 02 continued</p>	<p>11.06.2024</p>	<p>Boya is directed to hand over the vehicle to the petitioner/owner/last possessor subject to furnishing surety bonds worth Rs. 01 million with 02 sureties each in the like amount to the satisfaction of SHO concerned with further direction to SHO to make sure that the sureties must be local and reliable who could ensure the prediction of vehicle before the local police and the court when and where required.</p> <p style="text-align: center;">File be consigned to the record room after its necessary completion and compilation.</p> <p style="text-align: center;"><u>Announced</u> 11.06.2024</p> <p style="text-align: right;"> <b>Bakht Zada</b> Senior Civil Judge/JM, Orakzai (at Baber Mela)</p>
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