

**IN THE COURT OF SYED OBAIDULLAH SHAH**  
**SESSIONS JUDGE, ORAKZAI (AT BABER MELA)**

CR. MISC. APPLICATION NO. : 7/4 OF 2024  
DATE OF INSTITUTION : 25.05.2024  
DATE OF DECISION : 25.06.2024

ASMAT ULLAH S/O NOOR MUHAMMAD, R/O CASTE AKHEL,  
DALAK NAWASI, DISTRICT ORAKZAI  
..... (PETITIONER)

-VERSUS-

STATE THROUGH SHO POLICE STATION DABORI  
..... (RESPONDENT)

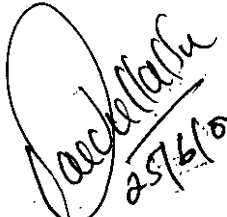
**Present** : Khursheed Alam Advocate for petitioner.  
: Umar Niaz District Public Prosecutor for the State.

**FIR No. 03** **Dated: 18.03.2024**  
**U/S: 9 (d) CNSA** **Police Station: Dabori**

**ORDER:**  
**25.06.2024**

DPP, Umar Niaz for the State present. Petitioner Asmat Ullah along with his counsel present. Record received. Arguments heard and record gone through.

- (2). The above-named petitioner seeks return of a Honda-125 motorcycle having Registration No. 7789/L taken into possession by the local police in the subject case FIR, wherein, as per contents of FIR, the complainant/Imtiaz Khan SHO acting on information regarding smuggling of narcotics through a motorcycle from Arhanga, laid a picket on the spot where at about 1630 hours a motorcycle leading from Arhanga towards the picket was signalled to stop who tried to run away but was overpowered. Three (03) packets of chars, each weighing 1000 grams, making a total of 3000 grams

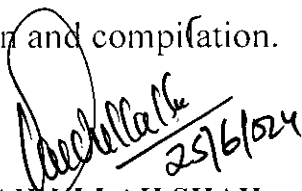
  
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were recovered from a white colour plastic shopper holding by the rider of the motorcycle. The rider of the motorcycle disclosed his name as Asmat Ullah, the present petitioner.

The petitioner/accused present before the court produced original registration documents of the motorcycle which is seen and returned.

- (3). Arguments heard and record gone through.
- (4). Perusal of the case file reveals that the petitioner/accused 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 motorcycle in question is no more required for further investigation. The prosecution also raised no objection, if the motorcycle in question is returned to the petitioner/accused.
- (5). In these circumstances, the petition in hand is accepted and the motorcycle in question be returned to the petitioner/accused subject to furnishing two surety bonds in the sum of Rs. 50,000/- to the satisfaction of SHO concerned.
- (6). Order announced. File of this court be consigned to record room after its necessary completion and compilation.

Dated: 25.06.2024

  
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Sessions Judge, Orakzai  
at Baber Mela

