

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

CR. MISC. APPLICATION NO. : 12/4 OF 2024
DATE OF INSTITUTION : 19.09.2024
DATE OF DECISION : 25.09.2024

TAJAMAL HASSAN S/O WAJID ALI, R/O CASTS SEPOYE, TAPA
LAKHKARI KHEL, TEHSIL LOWER, DISTRICT ORAKZAI

..... (PETITIONER)

-VERSUS-

STATE THROUGH SHO POLICE STATION KUREZ BOYA

..... (RESPONDENT)

Present : Sana Ullah Khan Advocate for petitioner.
: Umar Niaz District Public Prosecutor for the State.


FIR No. 45
U/S: 9 (d) CNSA

Dated: 01.08.2024
Police Station: Kurez Boya

ORDER:
25.09.2024

DPP, Umar Niaz for the State present. Petitioner
Tajamal Hussain along with his counsel Mr. Sana Ullah
Khan Advocate present. Record received.

- (2). The above-named petitioner seeks return of a Honda-
125 motorcycle of red colour bearing Registration No.
6181/Kohat, Chassis No. U213132 and Engine No. 6527690
taken into possession by the local police in the subject case
FIR, wherein, as per contents of FIR, Aftab Hassan SHO
along with other police officials during routine patrolling
laid a picket on main road Sepoye near Dabli post where at
about 2030 hours a motorcycle rode by two persons was
stopped for the purpose of checking. The complainant
recovered 04 packets of chars, wrapped with yellow colour


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scotch tape, each weighing 1000 grams, making a total of 4000 grams of chars from a blue colour ^{shawl} holding by the pillion passenger in his right hand.

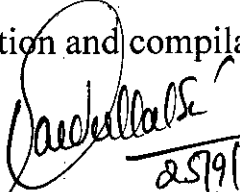
The petitioner present before the court produced original registration documents of the motorcycle which were seen and returned.

- (3). Arguments heard and record gone through.
- (4). Perusal of the case file reveals that neither the recovery has been effected from possession of the petitioner nor he has been charged in the instant case. 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.
- (5). In these circumstances, 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. 100,000/- 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: 25.09.2024




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