

MUHAMMAD HANIF VS THE STATE
Cr. Misc. No. 1/4 of 04.02.2025

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

CR. MISC. APPLICATION NO. : 1/4 OF 2025
DATE OF INSTITUTION : 04.02.2025
DATE OF DECISION : 18.02.2025

MUHAMMAD HANIF S/O MUHAMMAD NAWAZ, R/O BAR QAMBAR KHEL, BARA SAM BABA, TEHSIL BARA DISTRICT KHYBER

..... (PETITIONER)

-VERSUS-

STATE THROUGH SHO POLICE STATION KALAYA

..... (RESPONDENT)

Present: Insaf Ali Advocate for petitioner.
Umar Niaz, District Public Prosecutor for the State.

FIR No. 06
U/S: 9 (d) CNSA

Dated: 21.01.2025
Police Station: Kalaya

ORDER:
18.02.2025

DPP, Umar Niaz for the State present. Petitioner Usman Khel along with his counsel present.

- (2). The above-named petitioner seeks return of a red colour Motorcycle bearing Registration No. FW 8689, Chassis No. EA229067 and Engine No. 8746863 taken into possession by the local police in the subject case FIR, wherein, as per contents of FIR, on 21.01.2025 the complainant Shal Muhammad SHO with other police personnel set up a picket on the spot where at about 1955 hours the aforementioned motorcycle heading from Bezot towards the picket, was stopped. The complainant recovered 03 packets of chars, each weighing 1000 grams and wrapped

Syed Obaidullah Shah
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District & Sessions Judge
Orakzai at Baber Mela

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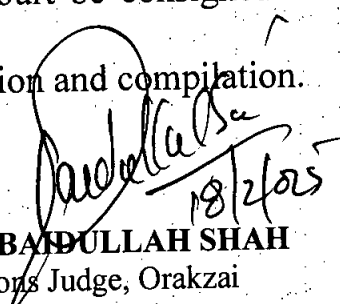
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in yellow colour scotch tape, totalling 3000 grams from a secret cavity made in the motorcycle.

The petitioner present before the court produced original registration documents of the motorcycle which were seen and returned. Copy of the same is placed on file.

- (3). Arguments heard and record gone through.
- (4). Perusal of the case file reveals that since the investigation in the instant case is complete and the motorcycle in question is no more required for further investigation besides the petitioner has produced documents regarding the same which prima facie reveals his ownership of the motorcycle in question and more so at the moment, there is no rival claimant as well as the same is not involved/required in any other case.
- (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. 80,000/- 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: 18.02.2025


SYED OBAIDULLAH SHAH
Sessions Judge, Orakzai
at Baber Mela

