

IN THE COURT OF BAKHT ZADA
ADDITIONAL SESSIONS JUDGE-I, ORAKZAI (AT BABER MELA)

CR. MISC. APPLICATION NO. : 4/4 OF 2024
DATE OF INSTITUTION : 19.11.2024
DATE OF DECISION : 29.11.2024

SHER REHMAN S/O MAST ALI KHAN, R/O CASTE BEZOT, TAPA
MEERKALI KHEL, TEHSIL LOWER, DISTRICT ORAKZAI
..... (PETITIONER)

-VERSUS-

STATE THROUGH SARDAR KHAN SHO POLICE STATION
KUREZ BOYA

..... (RESPONDENT)

Present : Mr. Insaf Ali Advocate for petitioner.
: Sr. PP Abul Qasim for the State.

FIR No. 63
U/S: 9(d)CNSA

Dated: 30.10.2024
Police Station: Kurez Boya

ORDER:
29.11.2024

Sr. PP Abul Qasim for the State present. Petitioner along
with Mr. Insaf Ali Advocate present. Arguments heard and record
gone through.

- (2). The petitioner, Sher Rehman s/o Mast Ali Khan r/o Caste
Bezot, Tapa Meerkali Khel, District Orakzai is seeking return of
motorcycle Honda-125 bearing registration No. FB5406/Kohat,
model 2018, Engine No. R-223391, chassis No. EA905595 which
was taken into possession by the local police of PS Kurez Boya in
case FIR 63, dated 12.11.2024, registered u/s 9(d) CNSA.

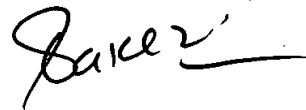
Sher Rehman
BAKHT ZADA
Addl: District & Sessions Judge-1,
Orakzai at Hangu
(3).

Summarized fact of the case, accordingly to FIR, are that the
local police had recovered chars weighing 4000 grams from the
bag which was laying with the back seat passengers which was
taken into possession along with the motorcycle in question.

- (4) Arguments heard available record perused which shows that the motorcycle in question is purchased by present petitioner from one Alam Khan s/o Sabar Khan and there is no secret cavity in the motorcycle in question, furthermore, the alleged recovery has been made from the bag present with the back seat passenger. The petitioner also stated that no recovery of any narcotics has been made from his possession. The motorcycle is parked in the police station and there is apprehension of its deterioration if the same is left on attended in the police station for indefinite period. I, therefore accept the instant petition and it is hereby directed that the motorcycle mentioned above be handed over to the petitioner, Sher Rehman subject to furnishing of bonds in the sum of Rs. 100,000/- with two sureties each like amount to the satisfaction of the SHO PS concerned. The petitioner shall be bound to produce the motorcycle in question before any court of law or investigating officer as and when required. The SHO is directed to place copy of the bonds on record. Copy of this order also be placed on the main case file while record of this court be consigned to record room.

Announced.

29.11.2024



(BAKHT ZADA)

Addl: Sessions Judge-I, Orakzai at
Baber Mela