

(3)

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

CR. MISC. APPLICATION NO. : 16/4 OF 2024  
DATE OF INSTITUTION : 26.11.2024  
DATE OF DECISION : 29.11.2024

SALI KHAN S/O NASEEB KHAN, R/O CASTE MAMOZAI, TAPA  
ADO KHEL, TEHSIL UPPER, DISTRICT ORAKZAI

..... (PETITIONER)

-VERSUS-

STATE THROUGH SHO POLICE STATION GHILJO

..... (RESPONDENT)


**Present** : Abid Ali Advocate for petitioner.  
: Umar Niaz District Public Prosecutor for the State.

**FIR No. 26**  
**U/S: 9 (d) & 11-A CNSA**

**Dated: 11.10.2024**  
**Police Station: Ghiljo**

**ORDER:**  
**29.11.2024**

The above-named petitioner seeks return of a red colour motorcycle having Registration No. FA 8787/Kohat taken into possession by the local police in the subject case FIR, wherein, as per contents of FIR, the complainant/Saleem Khan SHO having laid a picket were present on the spot where at about 1510 hours a motorcycle heading from Ghiljo towards the picket was stopped. The personal search of the motorcyclist led the complainant to the recovery of 2 grams of ice from a white colour shopper found in his side pocket. The complainant also recovered 01 packet of chars weighing 1100 grams wrapped with yellow colour scotch tape, from side cover of the motorcycle. The rider of the motorcycle disclosed his name as Jamil Khan.

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

(2). Arguments heard and record gone through.

(3). Perusal of the case file reveals that the petitioner 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.

(4). 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. 150,000/- to the satisfaction of SHO concerned.

(5). Order announced. File of this court be consigned to record room after its necessary completion and compilation.

Dated: 29.11.2024



*Syed Obaidullah Shah*  
29/11/24  
**SYED OBAIDULLAH SHAH**  
Sessions Judge, Orakzai  
at Baber Mela