



2

**FORM "A"**  
**FORM OF ORDER SHEET**  
IN THE COURT OF SENIOR CIVIL JUDGE/JUDICIAL MAGISTRATE, ORAKZAI

Case Title: Sarfaraz etc Vs State


+ Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Or___01	13.05.2025  ✓	Fresh bail petition submitted. Be entered. Notice be issued to state and record be requisitioned for <u>14-05-2025</u> .   <b>Ijaz Mahsood</b> Senior Civil Judge/JM, Orakzai at Baber Mela
Order No. 02	14.05.2025	<p>Sr.PP for the state present. Accused/petitioners through counsel present. Record received.</p> <p>The petitioners namely (1) Sarfaraz s/o Raees Khan, (2) Saud Khan s/o Muhammad Ayub and (3) Ashraf Khan s/o Peer Gul have applied for their post arrest bail in connection with case FIR No. 20, Dated: 11.05.2025, U/S 11(A)CNSA/15AA, registered in PS: Kurez Boya, L/Orakzai.</p> <p>Facts as recounted in the FIR are that on 11.05.2025 at about 22:30 hrs, SHO stopped the vehicle of the accused persons, and upon body search found contraband as detailed below. Accordingly, he charged accused Ashraf for possession of a 30-bore pistol bearing no. 31142842 along with fixed charger and 03 rounds of the same bore without having license and 05 gms Ice. The co- accused namely Sarfaraz Khan was charged for possession of 15 gms ice and other co-accused namely Saud Khan was charged for possession of a 30-bore pistol without number with a fixed charger along with 02 rounds of the same bore and 10 gms ice; hence, the instant FIR was registered against the accused.</p>

  
Senior Civil Judge  
Orakzai at Baber Mela  
14 MAY 2025

3

**COURT OF SENIOR CIVIL JUDGE/JM, ORAKZAI AT BABER MELA**

**Case Title: Sarfaraz and others VS State**

Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
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Order No. 02 continued	14.05.2025	<p>Defense counsel insinuated that the version is too smooth and even to be true. He contends that his clients were never in possession of the contrabands, and that they were maliciously implicated for other reasons and motives.</p> <p>It is interesting to note that three persons in possession of contrabands chose to drive by a police station at a time of the night when people usually stay-in in the area. From the record, it appears they did not bother to take any caution to evade a police station. Being intercepted at a checkpoint or by patrolling automobile would have made some sense, but to be caught at the gate of the police station adds to the version of the defense. Such incidents happening in absence of any objective neutral witness necessitates the need for extra caution lest an innocent person is harmed by law.</p> <p>Law, by default, sides with bail rather than jail. Only when the commission of crime is sufficiently probable, and the nature and gravity of the alleged offence makes the accused person a flight risk or threat to the community, is bail to be withheld.</p> <p>In the given circumstances, when there is so much to inquire into the allegations, the court is inclined to admit the accused persons to bail subject to payment bonds to the tune of Rs.70,000/- with 02 sureties each in the like amount to the satisfaction of this court.</p> <p>File be consigned to the record room after its necessary completion and compilation.</p> <p style="text-align: center;"><b><u>Announced</u></b> 14.05.2025</p> <p style="text-align: right;"> <b>Ijaz Mahsood</b> Senior Civil Judge/JM, Orakzai (at Baber Mela)</p>