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BEFORE THE PESHAWAR HIGH COURT, MINGORA  
BENCH / DAR-UL-QAZA SWAT

Cr. Misc. (for bail) No. 225-M of 2025

In

Criminal Appeal No. 133 -M of 2025

Amani Room son of Nosherawan resident of Khaperak,  
Sanila, Tehsil Puran, District Shangla, Presently confined at  
Central Jail, District Mardan. ....Appellant/Convict

VERSUS

1. The State through Additional Advocate General.
2. Saeed Rabi son of Palas resident of Sanila, Puran,  
Tehsil Puran, District Shangla.....Respondents

Case FIR No. 221, dated 27-08-2021

Under sections: 376 / 511 PPC read with section 53 CPWA

Police Station: Aloch, District Shangla

**Application under section 426 read with 497  
Criminal Procedure Code for suspension of  
impugned order / judgment dated 30-05-2025  
regarding appellant and release of the appellant /  
convict on bail till the final disposal of the above  
captioned appeal.**

**Filed Today**

**04 JUN 2025**  
Additional Registrar

Respectfully Sheweth;

- 1) That the appellant filed above captioned appeal  
against the Impugned judgment & order dated 30-05-

2025 which may read part of this application wherein  
no date of hearing has been fixed so for.

- 2) That the impugned order / judgment is not in accordance with law and facts on record.
- 3) That impugned judgment is prima facie illegal, against law and shariah, and sufficient grounds for acceptance of appeal.
- 4) That, the petitioner is innocent and has been falsely implicated in the aforementioned case by the complainant with malafide intention.
- 5) That the case of prosecution is full of doubts and is of unproved and weak nature.
- 6) That the impugned judgment is perverse of the materials available on the record.
- 7) That the evidence of prosecution is contradictory and non-believable.
- 8) That, the case against the petitioner is not proved beyond any shadow of doubt.
- 9) That by keeping the appellant in jail will serve no purpose, and it will be amount pre-mature

Filed Today

04 JUN 2025

Additional Registrar



KHYBER PAKHTUNKHWA  
BAR COUNCIL

**MOHAMMAD MUSHTAQ KHAN**

Advocate

bc-11-2303

Date of issue: March 2024

Valid upto: March 2027

  
Secretary  
KP Bar Council

ADVOCATE HIGH COURT

In the event of joining or carrying on any other profession, service or business, the holder will not be entitled to use this card and shall forthwith surrender it to the KP Bar Council.

Father's Name: MOHAMMAD ALAM KHAN  
Address: VILLAGE & P/O GULIBAGH, TEHSIL  
CHARBAGH DISTRICT SWAT.  
Contact No: 03018066889  
Enrolment Date L.C 03-October-2007  
Enrolment Date H.C 09-February-2012  
Place of Practice: SWAT  
Date of Birth: 10-April-1983  
Blood Group: O+VE  
C.NIC No: 15602-0281790-3

Card No  
38557

**KHYBER PAKHTUNKHWA BAR COUNCIL**

Bar Council Building, Khyber Road, Peshawar, ph:091-921172, 9212415, Fax:091-9213914  
E-mail: support@kpbarcouncil.com, www.kpbarcouncil.com

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punishment of the appellant, which is against the principle of natural justice and equity.

- 10) That in case of acquittal of the appellant, there will be no remedy available to him for period which he has passed in judicial lockup.
- 11) That there are no prospects of instant final disposal of appeal.
- 12) That the appellant is ready to furnish the sureties up to the satisfaction of this Honorable Court.

It is therefore that on acceptance of this application, the impugned order / judgment in respect of appellant / applicant may be suspended till the decision of appeal and appellant may kindly be released on bail till the final disposal of the appeal in hand.

Filed Today

04 JUN 2025

Additional Registrar

Appellant Through

*[Signature]*

**MUHAMMAD MUSHTAQ KHAN**

Advocate High Court.

AFFIDAVIT

I, Muhammad Mushtaq Khan Advocate (counsel for appellant / petitioner / convict), as per direction of my client, do hereby state that the contents of the accompanying application are true & correct to best of my knowledge.

S.No. 2539  
 Certified that the above was verified on Solema  
 affirmation before me on this 04 day of 06 2025  
 by M. Mushtaq Khan  
 S/o M. Alam Khan Swat  
 who was Identified by Self  
 Who is personally known to me

*[Signature]*  
DEPONENT

*[Signature]*  
 05.06.2025  
 Oath Commissioner  
 Peshawar High Court  
 Mingora Bench/Dar-ul-Qaza, Swat.

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BEFORE THE PESHAWAR HIGH COURT, MINGORA  
BENCH /DAR-UL-QAZA SWAT

Criminal Appeal No. /33-M of 2025

Amani Room.....Appellant/Convict

VERSUS

THE STATE & ANOTHER .....RESPONDENTS

**MEMO OF ADDRESSES**

**Appellant**

Amani Room son of Nosherawan resident of Khaperak,  
Sanila, Tehsil Puran, District Shangla, Presently confined at  
Central Jail, District Mardan.

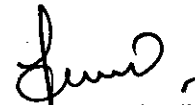
CNIC No: 15505-0771101-5

Cell No: 0346 9203544

**Respondents**

1. The State through Additional Advocate General.
2. Saeed Rabi son of Palas resident of Sanila, Puran,  
Tehsil Puran, District Shangla

Appellant Through



**MUHAMMAD MUSHTAQ KHAN**

Advocate High Court.

Filed Today

04 JUN 2025  
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