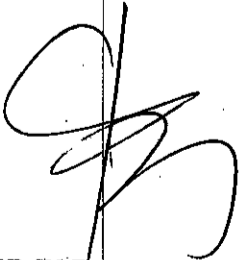


IN THE COURT OF ADDITIONAL SESSIONS JUDGE ORAKZAI, AT BABAR MELA

BA No. 13/4 of 2023

Javid 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
Order	25/02/2023	<p>Mr. Zahoor Rehman advocate represented accused/petitioners; whereas, Noor Karim Orakzai Advocate for complainant and Naid Wali APP for State are in attendance. This is the disposal of captioned post arrest Bail Application, submitted by accused/petitioners namely Javid son of Jan Asghar and Jahanzeb son of Sultan Asghar.</p> <p>2. Salih Khan son of Haider Hussain being complainant, charged the accused/petitioners Javid, Awid Ullah and Jahanzeb for Qatl-e-amd of his son namely Muhammad Haroon within the vicinity of his dwelling house. Criminal Law was brought into motion vide FIR bearing No.46 dated 07-12-2022, registered at Police Station, Central Mishti Mela under Section(s) 302/324/452/34 of the Pakistan Penal Code-1860. Accused/petitioners Javid and Jahanzeb being behind the bar presented instant post arrest bail petition, which is under consideration.</p> <p>3. Arguments of the learned counsel for the accused/petitioners and APP for the State and counsel for the complainant heard and record perused.</p> <p>4. This is tentative assessment of record for being stage of bail as deep appreciation of evidence is neither necessary nor warranted. The accused have directly been nominated in the contents of FIR. It is daylight occurrence which has promptly been reported. The contents of FIR are apparently supported by the post mortem report and incriminating materials have been recovered from the scene of crime. The deceased got hit as a result of firing and died on the spot which fact has been confirmed by medical evidence that further strengthen the prosecution case on its face. The</p>



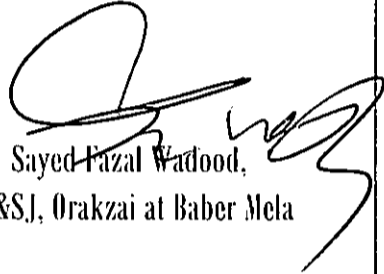
SAYED FAZAL WADOOD
Addl: District & Sessions Judge
Orakzai at Hangu

offence with which accused are being charged for, fall within the ambit of prohibitory clause of Section 497 of the Code of Criminal Procedure, 1898 which is obviously termed crime heinous in nature.

5. For what has been discussed above, this Court holds the view that prima facie case is existing against the accused and they are not entitled to be released on bail; therefore, instant bail application stands rejected.

6. File of this Court be consigned to District Record Room, Orakzai after its necessary completion and compilation within the span allowed for. Similarly, the copy of this Order be placed on record that requires to be returned back.

7. Announced in open Court.


Sayed Fazal Wadood,
AD&SJ, Orakzai at Baber Mela