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

BA No. 23/4 of 2023
Muhammad Abbas 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	03/04/2023	<p>Mr. Aurangzeb Khan advocate represented accused/petitioner; whereas, Malik Muhammad Farooq Advocate for complainant and APP for State have already been heard. This is the disposal of captioned post arrest Bail Application, submitted by accused/petitioner namely Muhammad Abbas son of Muhammad Ayub.</p> <p>2. Ibrahim Khan son of Niaz Meen Khan being complainant, charged the accused Muhammad Abbas, Zeeshan and Arsala Khan alias Farooq for attempting on the lives of complainant, his son Sohaib and nephew Samood. Criminal Law was brought into motion vide FIR bearing No. 05 dated 17-03-2023, registered at Police Station, Daboori under Section 324/34 of the Pakistan Penal Code-1860. Accused/petitioner Muhammad Abbas being behind the bar presented instant post arrest bail petition, which is under consideration.</p> <p>3. This is tentative assessment of record for being stage of bail as deep appreciation of evidence is neither necessary nor warranted. The accused has directly been nominated in the contents of FIR as principal accused. It is daylight occurrence which has promptly been reported. The contents of FIR are apparently supported by the medico legal reports and incriminating materials have also been recovered from the scene of crime. Both the injured are school going kids targeted on their way to home back; that too, with repetition of fire over them which fact has been confirmed by medical examination that further strengthen the prosecution case on its face. The offence with which accused are being charged for, falls within the ambit of prohibitory clause of Section 497 of the Code of Criminal Procedure, 1898 which is obviously termed crime heinous</p>


SAYED FAZAL WAJOOD
District & Sessions Judge
Orakzai at Hangu

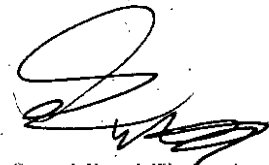
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in nature. It is not out of place to mention here that petitioner has recorded daily diary before the Police on the same date of incident to make it a case of cross version; however, through this medium, he confirmed his preparation for crime as well as presence on the spot.

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

5. 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.

6. Announced in open Court.



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