

Or.....04  
27.03.2023

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APP for the state present. Petitioner through counsel present.  
Complainant in person alongwith counsel present.

The petitioner namely Muhammad Abbas S/O Muhammad Ayub seek his post arrest bail in case FIR No. 05, Dated: 17.03.2023 U/S 324/34 PPC, registered in PS Daboori, Upper Orakzai.

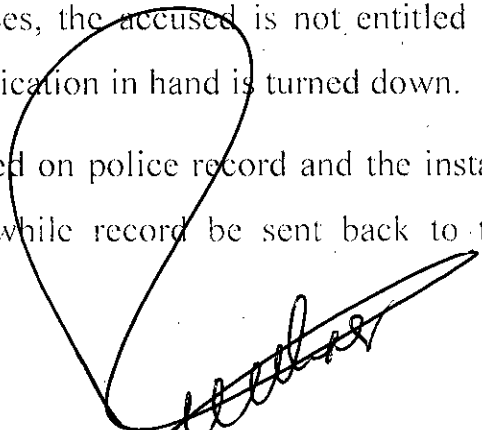
Arguments heard and record perused.

After hearing of arguments and perusal of the record I am of the opinion that the accused has been directly charged in the FIR. The occurrence took place in daylight in presence of eye witness. The site plan fully support the prosecution version. Furthermore, 05 cartridges of 7.62 bore recovered from the spot of occurrence as well as the weapon of offence has also been recovered from the possession of accused subsequently. Further the offence U/S 324 PPC, for which the accused is charged, falls within the prohibitory clause provided by section 497 Cr.PC.

Thus, in these circumstances, the accused is not entitled to the concession of bail, hence, the application in hand is turned down.

Copy of this order be placed on police record and the instant File be consigned to record room while record be sent back to the quarter concerned.

Announced  
27.03.2023

  
Syed Abbas Bukhari  
Judicial Magistrate-I,  
Tehsil Courts, Kalaya, Orakzai