

IN THE COURT OF ASGHAR SHAH SESSIONS
JUDGE, ORAKZAI AT BABER MELA

Bail Application No : 62/4 of 2020
Date of Institution : 16.09.2020
Date of Decision : 22.09.2020

Subhail Khan

SABEEL VS THE STATE

ASGHAR SHAH
22/9/20
District & Sessions Judge,
Orakzai at Hangu

ORDER

DPP, Umar Niaz for State & complainant
whereas Muhammad Wahid Miraj Advocate for
accused/petitioner present. Arguments heard and
record gone through.

Subhail Khan

ASGHAR SHAH
22/9/20
District & Sessions Judge,
Orakzai at Hangu

2. Accused/petitioner Sabeel s/o Kalam Shah seeks his release on bail in case FIR No. 39, dated 12.09.2020 registered U/S 302/34 PPC at Police Station Upper Orakzai Ghiljo, wherein he alongwith co-accused are charged by the SHO/complainant for causing the murder of one, Abdul Ghaffar for the motive of property dispute.

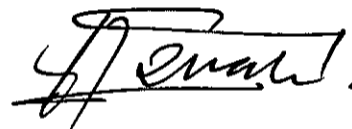
ASGHAR SHAH
22.09.20

3. From the arguments and record available on file, it reveals that admittedly SHO/complainant is not the eyewitness of the occurrence besides no source of information is mentioned in the initial report for charging the accused/petitioner by name. There is delay of almost one and half hour in lodging the report. The absence of previous

conviction/involvement, confession, recovery of weapon of offence, independent witnesses would attract further inquiry to the accused/petitioner. Thus, the case of accused/petitioner is arguable for the purpose of bail.

4. Hence, in the light of above, the bail petition in hand stand accepted and accused/petitioner is admitted to bail in sum of rupees 100,000 with two sureties each, each in the like amount to the satisfaction of this court.
5. File be consigned to Sessions Record Room for after further necessary compilation and completion.

Announced
22.09.2020



ASGHAR SHAH
Sessions Judge, Orakzai
at Baber Mela

22/09/20.