

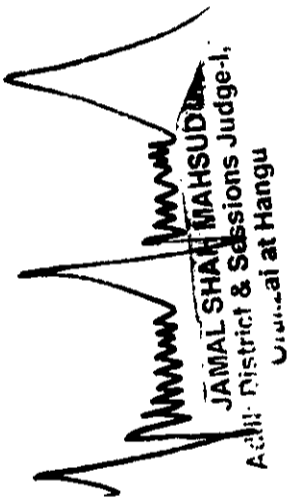
Or 03
24-06-2020

Present:

Sana Ullah Khan Advocate for accused/petitioner
DPP Umar Niaz Khan for the State
Record received

Through the instant post-arrest bail petition accused/petitioner **Gul Chaman** s/o Zahoor Shah; caste Sheikhan, Tapa Bazeed Khel, Rangeen Khel, Central Orakzai, is seeking his release on bail in case FIR No. **29** Dated **18-04-2020**, registered u/ss. **324/353/186/216** PPC in PS Lower Orakzai.

Facts of the case, according to FIR, are that; the local SHO, after receiving information that 02 persons, who were proclaimed offenders in a murder case registered in PS Jarma Kohat, were present in their house; that on this information he, along with a police party, raided the house of said proclaimed offenders; that he was arranging his team outside the house of proclaimed offenders when indiscriminate firing started at the police party from the house of Gul Chaman (present accused/petitioner) and the house of Shan Umar; that the police party also resorted to firing in self-defense. That on inquiry it was found that Gul Chaman (present accused/petitioner), Muhammad Younas, Sami Ullah and Shan Umar had fired upon the police party from their houses. The SHO further alleged that the said accused were harboring offenders, that they assaulted on police party in order to deter them from discharge of duty and attempted to commit *qatl-i-amd*. Report in this respect sent to the police station, hence, the instant case.


JAMAL SHAH MAHSUD
Addl. District & Sessions Judge-I,
Orakzai at Hangu

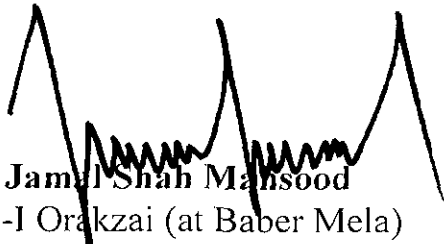
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Arguments of counsel for the accused/petitioner and DPP for State heard, and available record perused; the tentative assessment of which, for the purpose of deciding instant petition, shows that:

1. The accused/petitioner was not identified by the complainant SHO or by any other witness in the case.
2. Some crime empties were allegedly recovered from the house of the accused/petitioner; however, no weapon has been recovered in the case.
3. There is an allegation of indiscriminate firing but none has got injured in the case.
4. Other co-accused with similar role have already been released on bail; thus, role of consistency also favours grant of bail.

In view of the above circumstance, the accused/ petitioner has made out a case of further inquiry into his guilt. Resultantly, the instant petition is **accepted** and it is directed that the accused/petitioner, **Gul Chaman**, may be released on bail in the instant case, subject to furnishing bail bonds in the sum of **Rs 100,000 (one lac)**, with two sureties each in the like amount to the satisfaction of this court. Record of the police be sent back along with a copy of this order, while this file be consigned to Record Room after its necessary completion and compilation.

Announced
24-06-2020


Jamal Shah Mansood
ASJ-I Orakzai (at Baber Mela)