

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

BA No. 71 of 2020

Abdul Raziq Vs State

ORDER
13.01.2021

Mr. Javid Muhammad Advocate counsel for accused/petitioner.

Mr. Javid Iqbal Anwar Sr.PP for the State present.

Accused/petitioner Abdul Raziq s/o Abdul Salik R/o Qoam Bezot Tehsil Lower District Orakzai is seeking his release on bail in case FIR No. 116 dated 01/11/2020 U/Sec 302/324/457/34 PPC of PS Lower Orakzai (Kalaya) wherein the accused/petitioner along with his co-accused are charged for the murder of deceased Mst; Fehmina Bibi wife of accused/petitioner by firing through fire arm weapon.

Arguments of the learned counsel for the accused/petitioner and learned Sr.PP for the state heard and record perused.

The tentative assessment of record would reflect that the accused/petitioner is directly charged duly armed with Kalashnikov with specific role of firing upon the deceased Mst; Fehmina Bibi as result of which she got hit and died on the spot. The fire arm injuries on the body of deceased is supported by medical report which shows fire arm injuries on the deceased. The occurrence is also supported by the statement of the inmates of the house who are the eye witnesses of the occurrence. The recovery of blood stained garments of the deceased, blood stained earth from the spot, 08 empties of 7.62 bore and 04 empties of 30 bore confirmed the venue of offence and also support the prosecution case. The accused/petitioner on available record is prima facie connected with the commission offence which


SHAIKAT ALI
Addl: District & Sessions Judge-II
Orakzai District

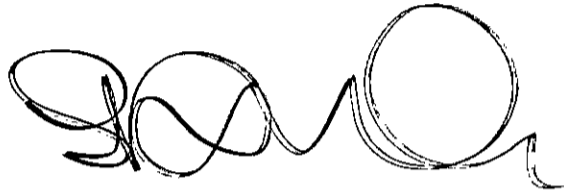
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disentitles him for the grant of bail. The offence for which the accused/petitioner is charged does fall within the prohibitory clause of section 497 Cr.PC, hence this court is not inclined to release the accused/petitioner on bail.

In view the above, the bail petition in hand is devoid of merits stands dismissed.

File of this Court be consigned to record room after its necessary completion and compilation.

Announced
13.01.2021



(SHAUKAT ALI)
Additional Sessions Judge-II,
Orakzai at Babar Mela