

Speen Gul etc VS State FIR No 43 Dated 19.05.2020 u/s 506/34-15AA-337A(i)PPC

Order-01
20.05.2020

Bail petition submitted through counsel Mr Sanullah Advocate. Be entered in relevant register. Notice be issued to the complainant, state and record for 21.05.2020

Muhammad Imtiaz
Civil Judge (II)-I
Orakzai District
(M. Imtiaz)
Judicial Magistrate (I)/MOD,
Orakzai

Order-02
21.05.2020

Mr Sanullah Khan Advocate for petitioner present.
App Amir shah for the State present
Record received
Complainant Khana Din in person present

(1) **Accused/Petitioners Speen Gul S/o Amal Khan** Resident of Qom Stori Khel Caste Mala Khel Qamber khwa Lower Orakzai, **Muhammad Amir S/O Speen Gul** Qom Stori Khel Caste Mala Khel Qamber khwa Lower Orakzai and **Hayatullah S/O Atibar Shah** Resident of Qom Ali khel Caste Jasrat khel chanar upper Orakzai have applied for the grant of **Post-Arrest Bail** in case FIR No. **43** Dated **19/05/2020** U/S **506/34--337a(i) PPC 15AA** Police Station **Kalaya Lower, Orakzai.**

(2) Brief facts of the prosecution case are that the complainant has charged the Accused/Petitioners for beating, injuring and for aerial firing in order to criminally intimidate him. Motive behind the occurrence stated to be having "land dispute". Hence were booked in the present case.

(3) Arguments heard and record perused.

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CNIC: 4603-4138467-7

Muhammad Imtiaz
Civil Judge (II)-I
Orakzai District
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Continued

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(4) The Perusal of record reveals that occurrence is of day light. complainant and Accused /petitioners are known to each other. Motive behind the occurrence does exists. Report and FIR were promptly lodged. Recovery of one rifle along with two bullets was also effected from the Accused Speen Gul S/O Amal Khan. Said rifle was also produced before Judicial Magistrate at time of production of Accused, in a white sealed cloth bag. Perusal of Tentative assessment of the record reveals that Accused/Petitioners are not entitled for the bail.

(5) For the above reasons the application in hand is hereby stands Rejected. Needless to mention the above findings shall not affect the merit of the case.

(6) Record be sent back forthwith to the corner concerned. A copy of this order shall be placed on Judicial as well as on Police file. File be consigned to record room after necessary completion.

Announced:

21/05/2020

Muhammad Imtiaz
Civil Judge/JM-II
Orakzai (Sardarwala)

Muhammad Imtiaz
Judicial Magistrate-II, Orakzai
MOD