

(4) (3)

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

BA No. 60/4 of 2023
Shahid Gul Vs State

Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Order	27/07/2023	<p>Mr. Sana Ullah Advocate for accused/petitioner; complainant is absent despite proper service and SPP for State present.</p> <p>2. Arguments heard; whereas, this is the disposal of petition for grant of bail, submitted by accused Shahid Gul son of Sayed Anwar resident of Qaum Stori Khel, Tappa Khwa Dara, Tehsil Lower, District Orakzai.</p> <p>3. Complainant Ismail while furnishing first information report narrated that accused has opened firing over them. His brother Jameel Shah was hit and expired on the spot; whereas, his relative being injured was shifted to Hospital. It was added that the complainant was escaped luckily. Resultantly, FIR bearing No. 63 dated 16.06.2023 was registered at Police Station Kalaya of Orakzai District by inserting Section 302-324 and 337A(i) of Pakistan Penal Code, 1860. On recovery of weapon, Section 15 of the KP Arms Act 2013 was added in the FIR later on. Meanwhile, accused was arrested and thus petition for grant of bail was presented which is under consideration.</p> <p>4. This is tentative assessment of record having no nexus with final determination of guilt or innocence of accused for being stage of bail. The incident has punctually been reported which is a daylight occurrence and FIR has promptly been lodged. Similarly, it is murder case with addition of serious life attempt on second person who was shifted to Hospital; wherein, single person is charged. Evidence of direct source is available followed by recovery of weapon of offence. All referred facts connects the accused with commission of offence on its face.</p> <p>5. For what has been discussed above, petitions stands dismissed.</p> <p>6. File of this Court be consigned to District Record</p>


SAYED FAZAL WADOOD
Addl. District & Sessions Judge
Orakzai at Hangu

Room after its necessary completion and compilation with in the span allowed for. Record be returned back with the cop of this order.

7. Announced in open Court.



Sayed Fazal Wadood,
AD&SJ, Orakzai at Baber Mela