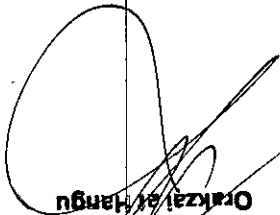


**IN THE COURT OF ADDITIONAL SESSIONS JUDGE/JUDGE SPECIAL COURT
ORAKZAI, AT BABAR MELA**

BA No. 93/4 of 2021
Irfan Ullah Vs State

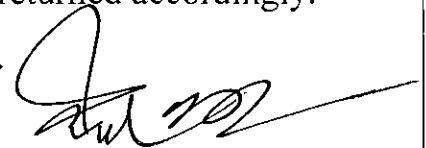
Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Order	26/07/2021	<p>Mr. Sana Ullah Khan Advocate represented accused/petitioner; whereas, Mr. Amir Shah APP for State is in attendance.</p> <p>2. This is the disposal of Post arrest bail application presented by accused/petitioner Irfan Ullah s/o Malak Jan r/o Caste Stori Khel Tappa Mala Khel District Orakzai.</p> <p>3. Mr. Aziz Rehman ASI, Incharge Mandara Khel Check post, Orakzai was reportedly available on barricade. He got spy information that someone is transporting Chars from Teerah towards unknown place through Kalaya Road. On checking point, one Motorcycle was signaled for stop; whereon, person on back seat of the Motorcycle opened fire through pistol with intention of killing the Police personnel for getting success in escape. Resultantly, constable Asal Khan belt No. 343 sustained injuries due to fire arm. The incident was reduced into writing of Murasila which was later on converted to FIR bearing No. 81 dated 23-06-2021 registered under sections 324-353-186-189/34 the Pakistan Panel Code 1860 in Police Station Kalaya. The accused have been nominated in statement recorded under section 164 of the Code of Criminal Procedure 1898 by the complaint before the Court of Learned area Magistrate. Accused have been remanded to Judicial Lockup which necessitated presentation of instant post arrest bail which is under consideration.</p> <p>4. Learned counsel for accused/petitioner and learned Assistant Public Prosecutor for State were heard at length and file gone through.</p> <p>5. This is tentative assessment of record available on file and deep appreciation is not required at this stage. Though the incident has promptly been reported but no one</p>


SAYED FAZAL WADOOD
 Addl: District & Sessions Judge
 Orakzai, Balochistan

was nominated as accused by name. The accusation leveled against the petitioner in a statement was made with considerable delay of twenty days; that too, without disclosing source of information. The identity of accused has not been tested in identification parade prescribed by the law. No forensic or medical evidence is available on file so far, to connect the accused with commission of offence on its face. No confession or recovery has been affected despite the physical custody of accused granted for two long days. All these facts render the case of the accused as that of further inquiry.

6. For what has been discussed above, instant bail petition stands allowed subject to furnishing bail bonds to the tune of Rupees Eighty Thousands (80,000/-); with two sureties; each in the like amount; to the satisfaction of this Court. File of this Court be consigned to District Record Room after its necessary completion and compilation within the span allowed for; whereas, copy of this Order be placed on record of Police to be returned accordingly.

7. Announced in open Court.



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