

ORDER-04
06.12.2021

APP for the state present.

Counsel for the accused/petitioner present.

Record received. It be registered.

The petitioners named Afzal Khan and Bukhtiar Akbar Ss/o Janbaz have applied for their pre-arrest bail in connection with case FIR No. 31, dated: 24.11.2021 u/s 324/353/189/34 PPC/15-AA registered in PS Kuriz, Lower Orakzai.

Arguments heard and file perused.

Perusal of the record reveals that accused/petitioner along with the other co-accused are directly charged for making firing on the police party to commit their murder, when the police raided their house as they were required to the police in various criminal cases. Accused/petitioner has been arrested on the spot. Similarly, weapon of offence i.e. pistol was recovered from the direct possession of accused while empties of the pistol from the spot. Statement of witnesses as well as the site plan also corroborate the story narrated in FIR. Hence, the available record prima facie connects the accused in commission of offence. Punishment for offence also attract the prohibitory clause of section 497 Cr.Pc.

In view of above discussion, accused/petitioner is not entitled to the concession of bail, hence bail petition stands dismissed.

File be consigned to record room after its completion and compilation.

ANNOUNCED
06.12.2021

FARMANULLAH
Senior Civil Judge
Orakzai at Baber Mela
Farman Ullah
Senior Civil Judge,
Orakzai at Baber Mela.