

(7)

IN THE COURT OF SHAUKAT AHMAD KHAN  
JUDGE, ORAKZAI AT BABER MELA

Bail Application No : 12/4 of 2022  
Date of Institution : 07.02.2022  
Date of Decision : 17.02.2022

Uin

**KHALID NOOR VS THE STATE**

ORDER

DPP Umar Niaz for the State, Syed Muzahir Hussain Advocate for complainant and Imad Azam Advocate for accused/petitioner present. Arguments heard and record gone through.

2. The accused/petitioner Khalid Noor s/o Hajat Noor seeks his post arrest bail in case FIR no. 29, dated 26.08.2019, u/s 302/34 PPC of PS Kalaya, wherein as per contents of FIR, the complainant Mst. Sajida Bibi on 26.08.2019 at 2230 hours at Civil Hospital Kalaya made a report to the local police to the fact that on that day at about 1930 hours, she was present at her house when an altercation took place with her step-sons namely Sajjad and Khalid Noor. Meanwhile, on entry of her husband to the house after offering maghrib prayer, the present accused/petitioner caught hold of him (her husband) while the accused Sajjad stabbed her husband with a knife at the direction of the present accused/petitioner. The

Shaukat Ahmad Khan  
District & Sessions Judge  
Orakzai at Baber Mela

17/02/22

8

injured while shifting to KDA Hospital with the help of Alif Noor and others, succumbed to injuries on way. Hence, the present FIR.

3. It is evident from the record that the accused/petitioner is directly nominated in the FIR and the offence for which the accused/petitioner is charged falls within the prohibitory clause of 497 Cr.P.C. Moreover, the accused/petitioner has remained fugitive from law for about more than 02 years.

4. Hence, in view of what is discussed above, it is held that sufficient material is available on file which reasonably connect the accused/petitioner with the commission of offence; therefore, he is not entitled to the concession of bail at this stage. The instant post-arrest bail application is thus turned down. Copy of this order placed on judicial/police file. Consign.

**Pronounced**  
17.02.2022

  
**SHAUKAT AHMAD KHAN**  
Sessions Judge, Orakzai  
at Baber Mela