

3  
Or.....03  
26.11.2024

Bail Petition received from Camp Court Kalaya.

APP for the state present. Petitioner through counsel present.  
No one for the complainant present today despite repeated calls.

Accused/petitioner Zain Ullah s/o Dawood Shah, R/O Qoum Mishti, Tappa Haider Khel, District Orakzai, seeks his post arrest bail in case FIR No. 40, Dated: 21.11.2021, U/S 324 PPC registered at Police Station Mishti Mela, L/Orakzai.


Arguments heard and record perused.

After hearing of arguments and perusal of the record I am of the opinion that there is no effective firing as there is no injury caused to the complainant. There is delay of in lodging of FIR. Allegedly there were 04 persons including the complainant, upon whom the accused opened fire with intent to kill them but all of them survived and thus it is a case of further inquiry to know whether the accused just wanted to criminally intimidate them or he wanted to kill them. No motive behind the occurrence is mentioned. There is nothing on record against the accused that he is a habitual offender. Thus, all these things make the case one of further inquiry.

Consequently, the bail petition in hand is allowed. Accused/petitioner is ordered to be released on bail subject to furnishing of bail bonds to the tune of Rs: 100,000/- with two local, reliable and resourceful sureties each in the like amount to the satisfaction of this court. Record be sent back forthwith to the concern police station.

File be consigned to record room after necessary completion.

**Announced**  
26.11.2024

  
(Rehmat Ullah Wazir  
Judicial Magistrate-I,  
Orakzai (at Baber Mela)


Or.....04  
27.11.2021

Case file requisitioned upon the application of the counsel for the accused.

Arguments heard and record perused.

Perusal of the record reveals that an offence u/s 15AA has been added by the prosecution after recovery of a 30-bore pistol from the possession of the accused but the same was not mentioned by the counsel for the accused in the application for post-arrest bail. Thus, the same be added and the offence beingailable and thus, the accused be released on bail if he submits bail bonds to the tune of Rs. 100,000/- with two local and reliable sureties each in the like amount to the satisfaction of this court.

Announced  
27.11.2021

  
(Rehmat Ullah Wazir  
Judicial Magistrate-I,  
Orakzai (at Baber Mela)