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

Bail Application No : 42/4 of 2022
Date of Institution : 26.05.2022
Date of Transfer-In : 30.05.2022
Date of Decision : 31.05.2022

MAROOF KHAN VS THE STATE

ORDER

DPP Umar Niaz for the State and Abid Ali

Advocate for accused/petitioner present.

Arguments heard and record gone through.

2. The accused/petitioner, Maroof Khan s/o Hajat Noor seeks his post arrest bail in case FIR no. 29, dated 26.08.2019, u/s 302/324 PPC of PS Kalaya, wherein as per contents of FIR, on 21.04.2022 the local police on the basis of information regarding the occurrence reached DHQ hospital Mishti Mela, where the complainant Zorawar Khan with a dead body of his son, Kamran made a report to the police to the fact that on that day he alongwith his son Kamran while on way from Feroz Khel Bazar after fetching household articles, towards their house when reached the spot of occurrence, the accused/petitioner Maroof Khan met them on their way who exchanged hot words with his son on the pretext of roaming with the nephews of


Shaukat Ahmad Khan
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accused/petitioner. The accused/petitioner got furious, put out a pistol from his trouser-fold and made firing at his son Kamran as a result of which he got hit and died. Hence, in 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 weapon of offence has been recovered from possession of the accused/petitioner. Furthermore, the medico legal evidence and the recoveries made from the spot of occurrence prima facia connect the accused/petitioner with the commission of offence.

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
31.05.2022




SHAUKAT AHMAD KHAN
Sessions Judge, Orakzai
at Baber Mela