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

Bail Application No : 47/4 of 2022

Date of Institution : 07.06.2022

Date of Decision : 21.06.2022

PIYO GUL VS THE STATE

ORDER


DPP, Umar Niaz for the State present.

Accused/petitioner present through his brother.

Complainant Minhaj not present.

2. Arguments have already been heard and record gone through.

3. Accused/petitioner, Piyo Gul seeks his release on bail in case FIR No. 08, dated 29.07.2022, u/s 3/4 Ghag Act at Police Station Ghiljo, wherein he is charged for raising Ghag, restraining the sister of complainant of marrying someone else except the son of accused/petitioner to the fact that about 08 months prior the accused/petitioner demanded the hand of Mst. Asmeen Bibi for his son to which the mother of Mst. Asmeen Bibi agreed; however, Mst. Asmeen Bibi is not ready to marry the son of

  
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accused/petitioner but the accused/petitioner is bent upon contracting the marriage of Mst. Asmeen Bibi with his son and in this respect various jirgas were also held between the parties which failed due to adamant behavior of the accused/petitioner. Hence, the present FIR.

4. Perusal of case file shows that though the accused/petitioner is directly nominated in the FIR for the offence which is heinous in nature but as evident from the contents of FIR the proposal of marriage for son of the accused/petitioner was accepted by the mother of Mst. Asmeen Bibi for her daughter; however, the rejection of proposal by Mst. Asmeen Bibi has arisen a dispute over the return of money which the accused/petitioner claims to have been paid by him to the complainant party. With respect to raising of ghag, no statement of any person, allegedly restrained by the accused/petitioner of marrying Mst. Asmeen Bibi, has been recorded. Moreover, as per affidavit submitted by the accused/petitioner, he has neither raised ghag nor he is going to restrain the marriage of Mst. Asmeen Bibi with someone else. Furthermore, the offence for which the accused/petitioner is charged does not fall within the prohibitory clause of section 497 CrPC.

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5. Hence, in view of what is discussed above, the accused/petitioner is admitted to the concession of bail, provided he submits two surety bonds in sum of Rs. 100,000/- with two sureties, each in the like amount to the satisfaction of this court. The sureties must be local, reliable and men of means.

Consign.

**Pronounced**  
21.06.2022



A handwritten signature in black ink, appearing to read "SHAUKAT AHMAD KHAN".

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