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

Bail Application No : 50/4 of 2022
Date of Institution : 20.06.2022
Date of Decision : 27.06.2022

REHMAT KARIM ETC. VS THE STATE

ORDER

DPP, Umar Niaz for the State and Sana Ullah Khan Advocate for accused/petitioners present. Complainant Amar Jaan along with Hassan Khan Advocate present. Arguments heard and record gone through.

2. The accused/petitioners, after being refused to be released on bail vide order dated 17.06.2022 of learned Judicial Magistrate, Kalaya, seek their post arrest bail in case FIR no. 57, dated 08.06.2022, u/s 324/34 PPC of PS Kalaya wherein, as per contents of FIR, the complainant Amar Jaan on 08.06.2022 at 0910 hours at Mishti Mela hospital made a report to the police regarding his injured daughter Mst. Zainab lying unconscious, to the fact that on that day at 07:50 hours, he along with his daughter Mst. Zainab and his nephew Gul Nadar while leaving their house, were fired at by the present accused/petitioners duly armed as a result of which Mst. Zainab received injury while he and his nephew escaped unhurt. Hence, the present FIR.

Shaukat Ahmad Khan
District & Sessions Judge,
Orakzai at Baber Mela
27/06/22


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3. It is evident from the record that though the accused/petitioners are directly nominated in the FIR and the offence for which the accused/petitioners are charged falls within the prohibitory clause of 497 Cr.P.C but all the three accused/petitioners are charged for the general role of firing and no specific role has been attributed to any of the accused/petitioner making the case as one of further inquiry that as to whose firing Mst. Zainab received injury. Moreover, no empties or any other incriminating material has been recovered from the spot or from possession of any of the accused/petitioner. Furthermore, the accused/petitioners have remained in police custody for 03 days but confession or admission has been made by the accused/petitioners.

4. Hence, in view of what is discussed above, the accused/petitioners are admitted to the concession of bail provided each of the accused/petitioner submits a bail bond in the 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. Copy of this order be placed on judicial/police file. Consign.

Pronounced
27.06.2022




SHAUKAT AHMAD KHAN
Sessions Judge, Orakzai
at Baber Mela