

Order.No.02  
07.12.2022

APP for the state present. Uncle of accused/petitioner present. Attested wakalatnama submitted. Written arguments on behalf of counsel for accused/petitioner submitted. Record received. Arguments on behalf of APP for the state heard and record perused.

Accused/petitioner namely Arshad S/O Rosmeen Khan, R/O Qaum Uthman Khel, Tappa Fateh Khan Khel, Tehsil Lower, District Orakzai is seeking his post arrest bail in Case FIR No.120 dated: 05.12.2022 U/S 324, 353, 186, 189, 34 PPC, 15AA, Police Station Kalaya, District Orakzai.

Although, accused/petitioner is directly and by name charged in the FIR by complainant and the punishment for the offence U/S 324 PPC falls within the ambit of prohibitory clause of Section 497 Cr. PC, however, record shows that allegations against the accused/petitioner is recovery of one 30 bore pistol without number with a fixed magazine containing 05 cartridges of the same bore from his possession. Role of firing at the police party with intention to commit their murder is attributed to co-accused namely Ajmeer S/O Said Rehman who has not been arrested. Section 353, 186, 189 PPC and 15AA are bailable. Accused has not confessed his guilt before the court. Per available record, there is no criminal history of accused/petitioner. Investigation has already been completed and accused is no more required to the local police for further investigation and no useful purpose would be served by keeping the accused/petitioner behind the bar.



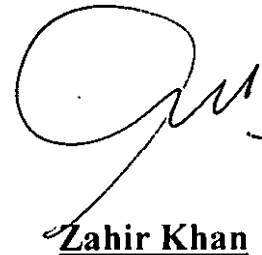
07/12/2022

**ZAHIR KHAN**  
Civil Judge JM  
Kalaya Orakzai

Consequently, application in hand is allowed. Petitioner be released on bail subject to furnishing bail bonds in the sum of Rs. 50,000/- (Fifty thousand) with two sureties each in the like amount to the satisfaction of this court. Copy of this order be placed on police as well as judicial record. Record be returned back to the quarter concerned.

File of this court be consigned to record room after necessary completion and compilation.

**ANNOUNCED:**  
**07.12.2022**



**Zahir Khan**  
JMIC-I, Tehsil Kalaya,  
Orakzai