



IN THE COURT OF SESSIONS JUDGE, ORAKZAI AT BABER MELA

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Case Title: Safi Ullah VS State


Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary.
1	2	3
Order No.05	28.07.2022	<p>DPP, Umar Niaz for the State present. Accused/petitioner, Safi Ullah on ad-interim pre-arrest bail along with Noor Karim Advocate present. Complainant not present despite being telephonically informed. Mr. Tahir Khan attached as Naib Court to this court informed that the complainant is absconder in the instant case, however Abdul Basit, one of the injured and the brother of complainant present. Arguments heard. Case file be put up for order on 29.07.2022.</p> <p align="center">  (SHAUKAT AHMAD KHAN) Sessions Judge, Orakzai at Baber Mela </p>
Order No.06	29.07.2022	<p>Accused/petitioner, Safi Ullah on ad-interim pre-arrest bail present. Abdul Basit, one of the injured and the brother of complainant present. Arguments have already been heard.</p> <p>The accused/petitioner, Safi Ullah s/o Majid Gul, r/o caste Mala Khel, Tapa Charkhela, Tehsil Upper, District Orakzai seeks confirmation of his ad-interim pre-arrest bail in case FIR no. 12, dated 28.04.2022, u/s 324/148/149 PPC of Police Station Dabori, wherein, as per contents of FIR, Muhammad Ullah s/o Hakim Gul with the injured Hakim Gul, Safi Ullah, Abdul Samad and Samad Ullah at Civil Hospital Dabori made a report to police that on 28.04.2022 at 1015 hours he along with his father were ploughing their land with a tractor when in the meanwhile Abdul Basit, Yousaf Mehmood, Muhammad Yasin, Shahid Ullah and Mst. Umar Gula</p> <p>  Shaukat Ahmad Khan Sessions Judge, Orakzai at Baber Mela 29/07/22 </p>

FIR no. 12, Dated: 28. 4. 22, u/s 324/148/149 PPC, PS Dabori

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Contin. Order No.06		<p>armed with sticks and axes while Abdul Salam and Said Salam armed with pistols came on the spot and wanted the complainant and his father to stop ploughing the land. During hot talks Abdul Salam and Said Salam made firing with their pistols at father of the complainant but he escaped unhurt. Upon the report of fire shots and hue and cry of the quarrel, the other inmates of the house of complainant came on the spot and a quarrel started over there during which Abdul Salam and Said Salam made their firing with their pistols as a result of which Safi Ullah received injuries on his chest while the other injured received injuries as a result of sticks and axes.</p> <p>On the same day, Abdul Salam along with injured Muhammad Yasin, Abdul Basit and Mst. Umar Gula (charged as accused by Muhammad Ullah) at 1130 hours at RHC Dabori made a report to the police that on 28.04.2022 he along with his brother and father were present at their house when at about 1015 hours Hakim Gul (one of the injured as per report of Muhammad Ullah) was ploughing their land with a tractor who was asked by his brother Abdul Basit to stop ploughing. During hot talks Muhammad Ullah (the complainant in the instant case) made firing with his pistol at which his brother went to his house. In the meanwhile, Abdul Samad, Muhammad Ullah, Safi Ullah (the present accused/petitioner), Majid Gul, Sajid Ullah, Samad Ullah, Hakim Gul, Muhammad Tariq, Mst. Niaz Bibi, Mst. Amina armed with sticks and axes attacked at their house as a result of which Muhammad Yasin, Abdul Basit and Mst. Umar Gula received injuries. The aforementioned report of Abdul Salam was incorporated vide DD no. 6 and being cross version made part of the</p>

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Contin. Order No.06		<p>FIR in the instant case. Hence, the present Bail Before Arrest petition.</p> <p>Arguments heard and record perused. The accused/petitioner is directly nominated in the FIR. Counsel for the accused/petitioner failed to point out any malafidi or ulterior motive on behalf of the complainant or local police for falsely implicating him in the instant case. Hence, the accused/petitioner is not entitled to concession of pre-arrest bail at this stage. Therefore, ad-interim bail earlier granted to the above-named accused/petitioner is hereby recalled and the BBA in hand resultantly stands dismissed. Consign.</p> <p style="text-align: right;"> (SHAUKAT AHMAD KHAN) Sessions Judge, Orakzai at Baber Mela</p>

