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**IN THE COURT OF ADDITIONAL SESSIONS JUDGE ORAKZAI, AT BABAR MELA**

BA No. 86/4 of 2022  
Qareeb Khan 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	05/09/2022	<p>Mr. Sana Ullah Khan Advocate represented accused/petitioner, complainant in person along with Mr. Insaf Ali Advocate and Mr. Zubair APP for State are in attendance.</p> <p>2. This is the disposal of Post arrest bail application presented by accused/petitioner Qareeb Khan s/o Khewa Gul resident of Kamar Khel Tappa Mughal Khel District Orakzai.</p> <p>3. Niqad Ali being complainant reported explosion of explosive substance in his dwelling house by late night against some unknown accused. The complainant and his family being available in house have been terrified; whereas, the windows and solar system installed in the house had badly been damaged. No previous enmity or any other clue for accusation in shape of motive has been assigned. Report was entered vide Naqalmaid No. 4 of Daily Diary dated 30-03-2022. The District Public Prosecutor was approached for guidance to which it was opined that the provisions of Explosive Substance Act are attracted to the occurrence. Resultantly, FIR No. 46 dated 11-05-2022 has been lodged against unknown persons by inserting section 3-4 of KP Exclusive Substance Act, 2015 in Police Station Kalaya. On 24<sup>th</sup> of May, 2022, the complainant recorded his statement under Section 164 of the Code of Criminal Procedure, 1898 before the Area Magistrate; stating therein, that the earlier reported incident was committed by three persons namely Paidal Khan, Qareeb Khan and Malak on the behest of Khizar Hayat, Hashmat ullah and Shah Faisal. The petitioner being named in such statement has remanded to Judicial Lockup that necessitated presentation of instant petition for bail, which</p>

  
**SAYED FAZAL WADOOD**  
Addl. District & Sessions Judge  
Orakzai at Hangu

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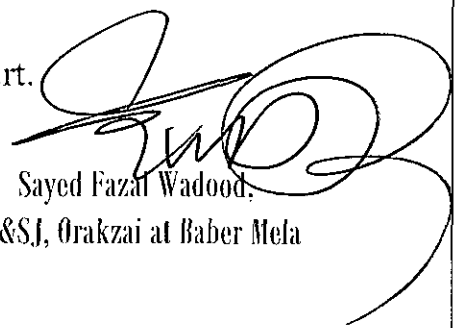
is under consideration.

4. Learned counsel for accused/petitioner and learned Senior Public Prosecutor for State assisted by Mr. Insaf Ali Advocate for complainant were heard at length and file gone through.

5. This is tentative assessment of record available on file and deep appreciation is not required at this stage. Though the incident has promptly been reported but no one was nominated as accused by name as it was initially against unknown person. The accusation leveled against the petitioner in a statement was without disclosing source of information; that too, with delay of months. No confession has been recorded. Recovery of a part of hand grenade is shown from the spot to which the link of petitioner is yet to be established. It is night occurrence witnessed by none as well. The co-accused have also been released on bail by the Court of Hon'ble District & Sessions Judge vide order 22-07-2022, passed in BA- No. 62/4 of 2022. These facts render the case as that of further inquiry.

6. For what has been discussed above, instant bail petition stands allowed subject to furnishing bail bonds to the tune of Rupees One Hundred and Twenty thousands (120,000/-); with two sureties; each in the like amount; to the satisfaction of this Court. File of this Court be consigned to District Record Room after its necessary completion and compilation within the span allowed for; whereas, copy of this Order be placed on record of Police to be returned accordingly.

7. Announced in open Court.



Sayed Fazal Wadood,  
AD&SJ, Orakzai at Baber Mela