

Court of Additional Sessions Judge, Orakzai at Baber Mela

BA. 98/4 of 2022
Jan Sher etc. 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	11/10/2022	<p>Mr. Khurshid Alam Advocate represented accused/petitioners; Mr. Zubair APP for the State are in attendance.</p> <p>2. This order is intended to dispose of the captioned Bail Application submitted by Accused/petitioners Jan Sher and Alam Sher son(s) of Umar Daraz, residents of Baland Khel Tehsil upper and District Orakzai.</p> <p>3. Rohul Ameen ASI of Police Station Ghiljo, Orakzai reported the matter that he along with other police officials namely Ghani Rehman, Asad Ullah, Mati Ullah and Abdul Hameed were on patrolling of the area (Muhalla Lodhiani Baland Khel); where, accused namely Umar Daraz, Jan Sher and Alam Sher duly armed appeared and aimed their rifles over them and threatened them for restraining from the patrolling of their area. This was the story of complainant that was forwarded through Murasila converted into FIR bearing No. 19 dated 25-09-2022, registered under section 506/186/189/34/121/121-A of the Pakistan Penal Code, 1860, in Police Station Ghiljo. Two out of three Accused/petitioners Jan Sher and Alam Sher presented instant pre-arrest bail petition, which is under consideration.</p> <p>4. Arguments of counsel for the accused/petitioners and learned APP for State heard and record perused.</p> <p>5. This being stage of bail is neither supposed for considering deep appreciation of evidence nor can the observation of the Court affect the merits of the case in trial. The occurrence is, no doubt, of daylight and allegedly committed in the open fields but no ocular evidence of the incident has been procured. Similarly, the alleged weapon of offense has not been recovered despite physical custody. These facts sufficiently renders the case of petitioner as that</p>

(Signature)
SAYED FAZAL HADDOOD
 District & Sessions Judge
 Orakzai at Hangu

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of further inquiry. Moreso, there is no concept of withholding bail as matter of punishment as well.

6. In view of the above, the plea of bail is accepted. Consequently, the accused/petitioners are released on bail subject to furnishing surety bond in the sum of Rs. 150,000/- with two sureties, each in the like amount, to the satisfaction of this Court.

7. File of the Court be consigned to District Record Room, Orakzai after its necessary completion and compilation within the span allowed for. Record of the Police be sent back with copy of this Order.

8. Announced in the open Court.



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