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

Bail Application No : 93/4 of 2022
Date of Institution : 01.11.2022
Date of Decision : 03.11.2022

SIAL KHAN VS THE STATE

ORDER

DPP, Umar Niaz for the State, Sana Ullah Khan Advocate for complainant and Abid Ali Advocate for accused/petitioner present. Arguments heard and record gone through.

2. The accused/petitioner, Sial Khan s/o Yar Baz Khan, after being refused to be released on bail vide order dated 29.10.2022 of learned Judicial Magistrate-I, Kalaya, seeks his post arrest bail in case FIR no. 101, dated 12.10.2022, u/s 324 PPC of Police Station Kalaya wherein, as per contents of FIR, on 12.10.2022 the local police on receipt of information regarding the occurrence reached the spot and found the injured Jehad in unconscious condition where the complainant, Rehmat Karim (father of injured) at 1630 hours made a report to the police to the fact that on that day at 1600 hours he along with his sons Jehad and Taj Muhammad were present in his field, ploughing the land through a tractor bearing no. MF240 driving by Taj Muhammad when in the

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meanwhile the present accused/petitioner duly armed came out of his house and made firing at them; as a result of which his son Jehad received injury while he and his other son Taj Muhammad luckily escaped unhurt. Hence, the present FIR.

3. It is evident from the record that the accused/petitioner is directly nominated in the FIR and the offence for which the accused/petitioner is charged falls within the prohibitory clause of 497 Cr.P.C. Moreover, the injured Jehad has received injury on vital part of his body. Furthermore, the recoveries in the form of empties from the spot of occurrence and the tractor with bullet marks also prima facie support the case of prosecution.

4. Hence, in view of what is discussed above, it is held that sufficient material is available on file which reasonably connects the accused/petitioner with the commission of offence making him disentitle to the concession of bail at this stage; therefore, the bail petition in hand is stand dismissed. Copy of this order be placed on judicial/police record. Consign.

Pronounced
03.11.2022




SHAUKAT AHMAD KHAN
Sessions Judge, Orakzai
at Baber Mela