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

Bail Application No. : 97/4 of 2022  
Date of Institution : 08.11.2022  
Date of Decision : 16.11.2022

WASIAT ALI VS THE STATE

ORDER

DPP, Umar Niaz for the State and Shahid Mehmood Khan Advocate for accused/petitioner present. Inayat Ali, the ex-husband of the deceased Mst. Fahida Bibi present. While the rest of the LRs are not present despite being informed. Arguments heard and record perused.

2. The accused/petitioner, **Wasiat Ali** s/o Sayed Nabi seeks his post arrest bail in case FIR no. 77, dated 16.08.2022, u/s 302/31<sup>1/4</sup> PPC of Police Station Kalaya, wherein as per contents of FIR, on 16.08.2021, the local police on receipt of information regarding murder of female on the pretext of honor reached on the spot where the complainant Shal Muhammad SHO came to know that Mst. Fahida Bibi had left her house about 12 years prior being charged for having illicit relations with one, Khalid s/o Gul Haider and had taken refuge at the house of Fakhar Abbas and that on the day of occurrence the present accused/petitioner Wasiat Ali (brother of deceased) along with co-accused Sadiq Khan and Jaan Khan had taken her from the house of Fakhar Abbas in a vehicle bearing no. 333/ICT-

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Islamabad near the house of Wasiat Ali where she was murdered with firearm by the accused/petitioner. Hence, the present FIR.

3. Arguments heard and record perused. Perusal of the case file shows that though the accused/petitioner is directly nominated in the FIR and the offence carries capital punishment but the occurrence is unseen and unwitnessed. Moreover, Inayat Ali, the husband of deceased Mst. Fahida Bibi also stated at the bar that he is not going to charge the accused/petitioner for the commission of offence.

4. Hence, in view of what is discussed above, it is held that the case against the accused/petitioner requires further probe; therefore, bail petition in hand stands accepted and the accused/petitioner is admitted to the concession of bail provided he submits a bail bond in the sum of Rs. 200,000/- with two sureties, each in the like amount to the satisfaction of this court. The sureties must be local, reliable and men of means. Copy of this order placed on judicial/police file.

Consign.

**Pronounced**  
16.11.2022



**SHAUKAT AHMAD KHAN**  
Sessions Judge, Orakzai  
at Baber Mela