

Order - 04  
29.07.2022

APP for the state present. Complainant present. Injured/victim namely Shams Ur Rehman also present. He stated that he does not want to engage private counsel. Record received. Written arguments of learned counsel for accused/petitioner already received and placed on file and perused. Arguments of APP for the state heard and record gone through.

Accused/petitioner namely Fazal Kareem S/O Fazal Janan, R/O Qoum Sheikhan, Tappa Umarzai, Village Masood Pakha, Tehsil Central, District Orakzai is seeking his post arrest bail in case FIR No.28 dated:06.09.2021 U/S 324, 337-F(v) 427/34 PPC, PS Mishti Mela, Orakzai.

Perusal of record reveals that accused/petitioner is directly and by name charged in the FIR with effective role. The offence with which accused/petitioner is charged falls within the ambit of prohibitory clause of Section 497 Cr.P.C. Medical reports of complainant namely Naqeeb Ullah and injured/victim namely Shams Ur Rehman support the version of the prosecution. Blood-stained pebbles, blood-stained earth and empty shell of 30 bore has been recovered from the spot. Accused/petitioner remained absconder for

most one-year. Sufficient material is available on file connecting the accused/petitioner with the commission of the offence. In the given circumstances the accused/petitioner is not entitled to the concession of bail.



29/07/2022  
ZAHIR KHAN  
Civil Judge, JM  
Kalaya Orakzai

Consequently, the application is turned down. Copy of this order be placed on judicial as well as police file. Requisitioned record be sent back to the quarter concerned forthwith.

File be consigned to record room after its necessary completion and compilation.

**ANNOUNCED:**

29.07.2022



**Zahir Khan**  
Judicial Magistrate-I,  
Tehsil Kalaya, Orakzai