

Order...01
08.10.2022

Case file is received from the court of Hon'ble District & Sessions Judge, Orakzai. APP for the state present. Accused/Petitioners through counsel present.

The petitioner/Accused namely Ashoor Khan S/O Muhammad Deen Shah has applied for their post arrest bail in connection with case FIR No. 79, Dated: 29.06.2022 U/S 324/353/186/189/337 F(i)/148-149 PPC registered in PS Kalaya, Lower Orakzai.


Arguments heard and file perused.

Perusal of record reveals that the accused has been directly charged in the FIR. The accused along with others armed with deadly weapons used force against government officials in discharge of their official duty. The accused named in the FIR fired many rounds on government officials, but fortunately no one sustained firearm injury. There is day light occurrence. A constable in line of his duty sustained injuries by the use of force from the said unlawful assembly. Prima facie case is made out against the accused. Also, the section of law levelled against the accused is falling within the prohibitory clause of section 497 Cr.P.C and the offence is heinous in nature.

Thus, in these circumstances the accused is not entitled to the concession of bail at this stage, hence, application in hand is **dismissed**.

Copy of this order be placed on police record and the instant File be consigned to record room while record be sent back to the quarter concerned.

ANNOUNCED
08.10.2022


Sami Ullah
Judicial Magistrate-I
Orakzai (at Baber Mela)