

IN THE COURT OF SENIOR CIVIL JUDGE/JUDICIAL MAGISTRATE,  
ORAKZAI

Bail Petition .....09/4 of 2024.

Date of institution.....17.04.2024.


Date of decision.....22.04.2024.

Order.No.03  
22.04.2024

Sr. PP for the state present. Counsel for accused/petitioner present. Complainant submitted wakalat-nama of Khursheed Alam Advocate. Injured also present.

Accused/petitioner namely **Muhammad Adil S/O Shamrose Khan**, R/O Qaum Aka Khel, Sarka Ismail Zai, District Orakzai is seeking his post arrest bail in case FIR No. 01 dated: 21.01.2024 U/S 324 PPC, Police Station Ghiljo, District Orakzai.

Complainant Aurangzeb Khan S/O Rasheed Khan reported the matter to Ibrahim Khan, SHO PS Ghiljo at THQ Ghiljo while his brother injured Arif Khan s/o Rasheed Khan, aged about 37/38 years is lying in the hospital in unconscious condition. He reported that he along with his brother Muhammad Arif were sitting near the main road. Meanwhile Muhammad Rauf s/o Umer Khan and Muhammad Adil s/o Shamroz, who are also their cousins, came. Muhammad Rauf was armed with pistol while Muhammad Adil was armed with axe. Both the accused came near them and started altercation and when the complainant called the people for separated them. In the meanwhile,

  
**BAKHT ZADA**  
Senior Civil Judge/JM  
Orakzai District Mela  
22/4/24

(4)

Adil hit his brother injured Arif Khan with axe on his head and accused Rauf Khan made firing at him due to which Arif got injured. After occurrence, both the accused decamped from the spot. Motive for the occurrence is domestic dispute between the women folk. Injured Arif was taken to the hospital in the private vehicle. He charged both the accused for the commission of the offence.

Arguments heard and file perused.

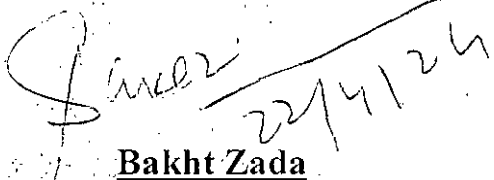
Perusal of record reveals that accused/petitioner is directly charged for hitting the injured with an axe on vital part of his body. Recovery of the axe has been affected by the IO during investigation. Offence is heinous in nature; therefore, I am not inclined to accept the instant petition.

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

File of this court be consigned to record room after necessary completion and compilation.

**ANNOUNCED:**

22.04.2024

  
**Bakht Zada**  
Senior Civil Judge/JM,  
Orakzai