

**IN THE COURT OF ZAHIR KHAN, JUDICIAL MAGISTRATE -I TEHSIL
KALAYA, DISTRICT ORAKZAI**

Bail Petition09/4 of 2024.

Date of institution.....15.04.2024.

Date of decision.....16.04.2024.

Order.02

16.04.2024

APP for the state present. Learned counsel for accused/petitioner present. Complainant namely Mir Asat Khan produced in custody. Record received and arguments heard.

Complainant Mir Asat Khan stated at the bar that he has entered into compromise with accused/petitioner and he has got no objection if accused/petitioner is released on bail. His statement is separately recorded which is duly thumb impressed by him. Copy of his CNIC is Ex-PA.

Accused/petitioner namely Bait Ullah S/O Abdul Malik is seeking his post arrest bail in case FIR No. 18, Dated: 12.04.2024 (cross version recorded vide mad No. 25 dated 12.04.2024) u/s 324, 148, 149 PPC, PS Mishti Mela, Orakzai.

Although, the offence for which accused/petitioner is charged is compoundable in nature, however, compromise is incomplete as the injured/victim namely Miraj is not before the

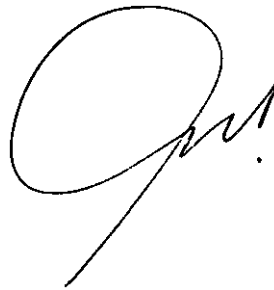
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ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai

court. He is reportedly admitted in the hospital for treatment. No compromise deed on his behalf is produced before the court. As on merits, accused/petitioner is directly and by name charged in the FIR for a daylight occurrence. The offence attracts prohibitory clause of 497 Cr. PC. Co-accused are still at large. Sufficient material is available on record connecting the accused/petitioner with the commission of the offence. As such, the case of the accused/petitioner is not arguable for the purpose of bail. Accordingly, bail petition in hand stands dismissed being meritless. 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:

16.04.2024



Zahir Khan

CJ/JMIC-I, Tehsil Kalaya, Orakzai.