

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

Bail Petition10/4 of 2024.

Date of institution.....15.04.2024.

Date of decision.....16.04.2024.

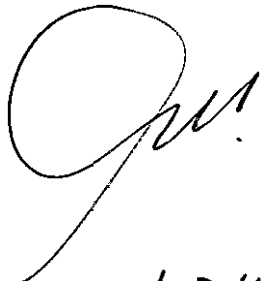
Order.02
16.04.2024

APP for the state present. Learned counsel for accused/petitioner present. Father of complainant namely Bait Ullah produced in custody. Record received.

Father of injured/complainant Muhammad Amir 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 Mir Asat Khan S/O Sinjab Khan is seeking his post arrest bail in case FIR No. 18, 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 both the injured/victims namely Muhammad


16/04/2024

ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai

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Amir and Muhammad Nasir are not before the court. They are reportedly admitted in the hospital for treatment. No compromise deed on their 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. Empties of 30 bore pistol have been taken into possession by local police from the spot. Co-accused are still at large. The available record support the version of the prosecution. 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.