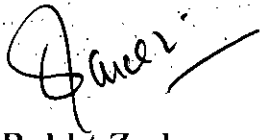
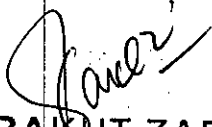


02/03

Case Title: State vs Muhammad Karim etc

Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Order No. 01	05.09.2024	<p>Interim Challan along with complete challan received from prosecution. Be entered in the relevant register. Prosecution also submitted an application for discharge of accused under 4C (II)/5(b) of the Prosecution Act, 2005.</p> <p>File to come up for arguments on the application on <u>12-09-24</u>.</p> <p style="text-align: right;"> Bakht Zada Senior Civil Judge/JM, Orakzai at Baber Mela</p>
Order No. 02	12.09.2024	<p>DPP for the state present. Arguments on the application for discharge of accused u/s 4C(II)/5(b) of the Prosecution Act, 2005 heard.</p> <p>Brief facts of the case are that complainant Ibrahim Khan SHO of PS Ghiljo sent Murasila to the PS wherein, he alleged that he along with constables Gul Islam 992 and Aman Ullah 1962 were on gasht in the area, meanwhile he heard the sound of aerial firing from Ghiljo Bazar side and proceeded there. On getting information, it was disclosed that one Muhammad Karim s/o Ramin Shah and Muhammad Farooq s/o Muhammad Jameel R/O caste Akhel, Ghiljo are celebrating the transfer of Deputy Commissioner Orakzai by making aerial firing which has put the lives of general public in danger. The accused were arrested and at the receipt of Murasila, the instant FIR was registered.</p> <p><i>Continue</i></p> <p style="text-align: right;"> BAKHT ZADA Senior Civil Judg/JM Orakzai at Baber Mela 12.09.2024</p>

4

COURT OF SENIOR CIVIL JUDGE/JM, ORAKZAI AT BABER MELA

Case Title: State VS Muhammad Karim etc

Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Order No. 02 continued	12.09.2024	<p>The case file was handed over to IO for investigation who proceeded to the spot and prepared site plan at the pointation of the complainant. The accused were arrested and their card of arrest was prepared and at the completion of the investigation, the instant challan was submitted.</p> <p>Available record perused and arguments heard which shows that the complainant has alleged that he heard the sound of aerial firing and thereafter attracted to the spot along with other police officials and on getting information, it was disclosed that he accused facing trial has made aerial firing while celebrating the transfer of DC Orakzai, but the complainant has not disclosed his source of information. The statement of any eye-witness has not been recorded in this regard. The site plan has been prepared at the pointation of the complainant by the IO, but the complainant himself is not the eye-witness then how it is possible for him to point out the points of presence of the accused at the time of making firing.</p> <p>In these circumstances there is no probability of conviction of the accused facing trial even if statements of all the PWs are recorded. I therefore accept the instant application and discharge the accused facing trial from the charges levelled against them. They are on bail. Their sureties are discharged from the liability of bail bonds. Case property if any be kept intact till the expiry of period provided for appeal/revision.</p> <p>Case file be consigned to Record room after its completion and necessary compilation.</p> <p>Announced 12.09.2024</p> <p><i>Bakht Zada</i> 12.9.24 Bakht Zada Senior Civil Judge/JM, Orakzai (at Baber Mela)</p>