

**IN THE COURT OF JUDICIAL MAGISTRATE-I, KALAYA,
ORAKZAI**

Bail Petition 45 /4 of 2024.
Date of institution.....04.07.2024.
Date of decision.....05.07.2024

Order – 02
05.07.2024

APP for the state present. Junior/Assistant of Mr. Abid Ali Advocate, counsel for accused/petitioners present. He submitted written arguments and requested for disposal of the bail petition on merits. Mr. Aziz Rehman Khattak Advocate present. He submitted attested W/N on behalf of complainant. Record received. Arguments of APP for the state and counsel for complainant heard. Written arguments and record perused.

ZAHIR KHAN
Civil Judge/IM
Kalaya Orakzai

Accused/petitioners (1) Said Ameen (2) Muhammad Shoaib (3) Muhammad Taib (4) Umar Hayat (5) Naveed Ullah (6) Ameen Moula (7) Zahid Ullah (8) Noor Islam (9) Abid Ullah (10) Muhammad Ahmad are seeking their post arrest bail in FIR No. 26 dated: 15.04.2024 U/S 334,337-A(i), A(iii), 337-F(ii), 337-L(ii), 148, 147, 149 PPC, Police Station Mishti Mela, District Orakzai.

AMM IC. I
05/07/2024

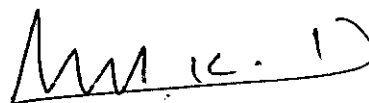
Perusal of record reveals that accused/petitioners are directly and by name charged in the FIR for the commission of heinous offences. The offences u/s 334 and 337-A(iii) PPC, with which accused/petitioners are

charged fall within the ambit of prohibitory clause of Section 497 Cr.P.C. Medical reports of injured/victims support the version of the prosecution. Per medical reports, nature of injuries received by injured/victims are grievous in nature. Complainant and accused party hail from the same area and known to each other; therefore, there is no question of mis-identification or non-identification of the accused. Sufficient material is available on file connecting the accused/petitioners with the commission of the offence. In the given circumstances the accused/petitioners are not entitled to the concession of bail.

Consequently, the application is turned down. 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:
05.07.2024



Zahir Khan
Judicial Magistrate-I,
Tehsil Kalaya, Orakzai
05/07/2024