

5  
BA NO. 90/4

SHAKIR ULLAH VS THE STATE

FIR NO. 21 || DATED 15.09.2024 || U/S 302/34 PPC AND 15AA  
POLICE STATION GHILJO

IN THE COURT OF SYED OBAIDULLAH SHAH,  
SESSIONS JUDGE/JUDGE SPECIAL COURT,  
ORAKZAI AT BABER MELA

Bail Application No. : 90/4 of 2024  
Date of Institution : 27.11.2024  
Date of Decision : 18.12.2024


SHAKIR ULLAH VS THE STATE

ORDER

DPP, Umar Niaz for the State and Khursheed Alam Advocate for accused/petitioner present. Record already received. Complainant Haji Rehman present in person. Jan Zeba, the mother of deceased also present in person.

2. At the very outset, the parents of the deceased stated at the bar that they have patched up the matter with the accused/petitioner out of the court, forgiven him in the name of Almighty Allah and have got no objection upon the release of accused/petitioner on bail or upon his acquittal. To that effect, their joint statement recorded and placed on file.

3. The accused/petitioner, **Shakir Ullah** s/o Muhammad Din Gul seeks his post arrest bail in case FIR no. 21, dated 15.09.2024, u/s 302/34 PPC and 15AA of Police Station Ghiljo, wherein as per contents of FIR, on 15.09.2024, the local police on receipt of information regarding presence of a dead

  
Syed Obaidullah Shah  
District & Sessions Judge  
Orakzai at Baber Mela  
18/12/2024

6

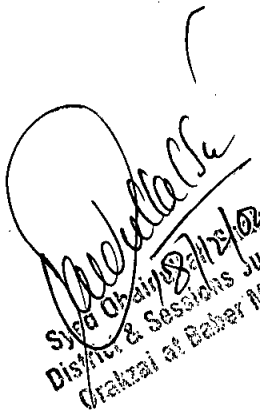
BA NO. 90/4

SHAKIR ULLAH VS THE STATE

FIR NO. 21 || DATED 15.09.2024 || U/S 302/34 PPC AND 15AA  
POLICE STATION GHILJO

body on the spot, reached there and found the dead body of Ghani Ul Rehman where the complainant made a report to the local police to the fact that on 14.09.2024 the deceased at Villa time while leaving the house told him (complainant) that he is going with Muhammad Shoaib and Shakir Ullah, the present accused/petitioner and will return at late time; however, he did not return to home at that night. The complainant received information at 1600 hours regarding murder of his Ghani Ur Rehman, upon this information, he along with other relatives reached the spot and found the dead body his son. He came to know that his son was killed by Shakir Ullah, the present accused/petitioner and Muhammad Shoaib. Hence, the present FIR.

4. Arguments heard and record perused.
5. Perusal of the case file shows that though the accused/petitioner is directly charged and the offence carries capital punishment but there is no eye-witness of the occurrence. As per affidavit coupled with joint statement of the parents of deceased, they have got no objection upon the release of accused/petitioner on bail or upon his acquittal. Hence, the accused/petitioner is admitted

  
Syed Ghani  
District & Sessions Judge  
Ghakzal of Bahar Meja

7  
BA NO. 90/4

SHAKIR ULLAH VS THE STATE

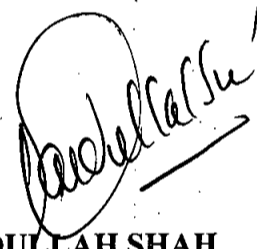
FIR NO. 21 || DATED 15.09.2024 || U/S 302/34 PPC AND 15AA  
POLICE STATION GHILJO

to the concession of bail subject to the conditions of affidavit Ex. PA, provided he submits two surety bonds in the sum of Rs. 100,000/- with two sureties, each in the like amount to the satisfaction of this court. The sureties must be local, reliable and men of means.

6. Order announced. File of this court be consigned to record room after its necessary completion and compilation. Copy of this order be placed on file police/judicial file.

7. This order is tentative in nature and would have no effect upon the trial of the accused/petitioner.

Dated: 18.11.2024



SYED OBAIDULLAH SHAH  
Sessions Judge, Orakzai  
at Baber Mela

