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BA NO. 17/4

HUJAT ALI VS THE STATE

FIR NO. 100 || DATED 10.08.2021 || U/S 302/324/34 PPC AND
15AA

POLICE STATION KALAYA

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

Bail Application No. : 17/4 of 2025
Date of Institution : 15.02.2025
Date of Decision : 18.02.2025

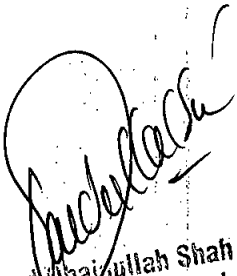
HUJAT ALI VS THE STATE

ORDER

DPP, Umar Niaz for the State and Syed Sheharyar Ahmed Advocate for accused/petitioner present. Record already received. Complainant along with his counsel present. Nazmeena Jan, the mother of deceased and injured is also present in person.

2. At the very outset, the complainant and parents of the deceased and injured stated at the bar that they have patched up the matter with the accused/petitioner Hujat Ali 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 statements recorded and placed on file.

3. The accused/petitioner, **Hujat Ali** s/o Azmeen Ali seeks his post arrest bail in case FIR no. 100, dated 10.08.2021, u/s 302/324/34 PPC and 15AA of Police Station Kalaya, wherein as per


Syed Obaidullah Shah
District & Sessions Judge
Orakzai at Baber Mela

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contents of FIR, on 10.08.2021, the local police on receipt of information regarding the quarrel of children in village Donki, reached there and Mazed Ali (complainant) along with two injured Mst Madeeha Bibi and Razeed Ali were present on the spot. Complainant reported that he along with other residents of his joint dwelling house, available at home, rushed to the outdoor of the house where their kids were at each other's throats with the children of accused party residing in their neighborhood. The altercation led to the incident where accused/petitioner and his co-accused appeared whose were duly armed. Accused Inab Ali opened fire which resulted into death of Miraj Hussain. Rest of the accused namely Zubair Ali, Zubair Ali and Kiramat Ali opened fire over Razid Ali and Mst Madeeha wherefrom they sustained injuries. Hence, the present FIR.

4. Arguments heard and record perused.
5. Without touching the merits of the case, in the light of affidavits coupled with statements of the complainant and parents of deceased and injured, the bail petition of the accused/petitioner is accepted and he is admitted to the concession of bail subject to the conditions of affidavits Ex. PA


Syed Usmanullah Shah
District & Sessions Judge
Qazai at Baber Mela

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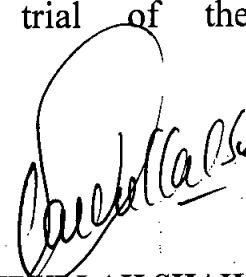
and Ex. PB, provided he submits two surety bonds in the sum of Rs. 80,000/- with two sureties, each in the like amount to the satisfaction of this court.

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: 18.02.2025


SYED OBAIDULLAH SHAH
Sessions Judge, Orakzai
at Baber Mela

