


IN THE COURT OF SESSIONS JUDGE, ORAKZAI AT BABER MELA

BA NO. : **24/4 OF 2020**
DATE OF INSTITUTION : **07.02.2020**
DATE OF DECISION : **13.02.2020**
CASE TITLE : **STATE vs MUHAMMAD SALAM Vs State**
U/S : **302 PPC**
FIR NO : **4**
DATED : **23.05.2019**
POLICE STATION : **LOWER ORAKZAI**

Superintendent Note:

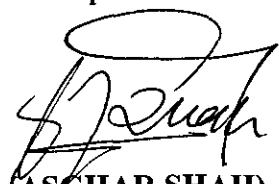
BA application presented through counsel, Syed Mudasir Pir Zada Advocate to the office of Superintendent. Be put up before the Hon'ble District & Sessions Judge, Orakzai, for further orders, please.


 (SUPERINTENDENT) 07/2/20
 To Sessions Judge,
 Orakzai at Baber Mela.
 ✓
ASGHAR SHAH
 District & Sessions Judge,
 Orakzai at Hangu

Order No. 01
07.02.2020

2.

BA application received from the office of Superintendent. Be entered. Notice be issued to the complainant/state and record be requisitioned for the date fixed as 13.02.2020.


 (ASGHAR SHAH)
 Sessions Judge, Orakzai
 at Baber Mela
ASGHAR SHAH
 District & Sessions Judge,
 Orakzai at Hangu

Order No. 02
13.02.2020

DPP, Umar Niaz for State and Syed Mudasir Pir Zada Advocate for accused/petitioner present. Complainant, Gul Ameen served personally but he is absent. Record is already available in the main trial

which is requisitioned from the office of Muharrir.

Arguments heard and record gone through.

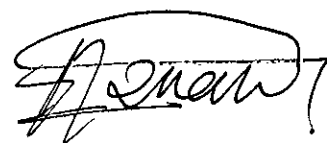
2. Accused/petitioner, Muhammad Salam seek his release on bail in case FIR No. 4, dated 23.05.2019 registered U/S 302 PPC at Police Station Lower Orakzai Kalaya, wherein he is charged for causing the murder of one, Malak Khan Zaman by means of firearm.

3. From the arguments and record available on file, it reveals that the single accused/petitioner is directly and by name charged for the day light occurrence. PWs and Post-Mortem report supports the version of complainant. Accused/petitioner remained fugitive from law for sufficient time. The offence attracts the prohibitory clause of Section 497 Cr.P.C. Hence, prima facie case exists against the accused/petitioner and accordingly he is not entitled for the concession of bail in his favour. Bail petition in hand stand dismissed.

4. File be consigned to Sessions Record Room for after further necessary compilation and completion.

Announced

13.02.2020



ASGHAR SHAH

Sessions Judge, Orakzai
at Baber Mela

13/2/20

ASGHAR SHAH
District & Sessions Judge,
Orakzai at Hangu