

IN THE COURT OF ASGHAR SHAH SESSIONS
JUDGE, ORAKZAI AT BABER MELA

Bail Application No : 66/4 of 2020
Date of Institution : 14.10.2020
Date of Decision : 17.11.2020

JAMSHID VS THE STATE

Order no. 11

DPP, Umar Niaz for State and Haseeb Ullah Khan Advocate for accused/petitioner and Zahoor Rehman Advocate for complainant/injured present. Arguments heard and record gone through.

2. Accused/petitioner, Jamshid seeks his release on bail in case FIR No. 107, dated 30.09.2020 registered U/S 324/34 PPC at Police Station Lower Orakzai Kalaya, wherein he alongwith his co-accused are charged for effective firing at the complainant and his cousin by means of firearm and thereby causing injuries to them.
3. The bail petition of the accused/petitioner was turned down by the court JM-I, Orakzai vide order dated 13.10.2020, hence the bail petition in hand.
4. From the arguments and record available on file, it reveals that counsel for the accused/petitioner besides some other grounds on merits, requested for release of the



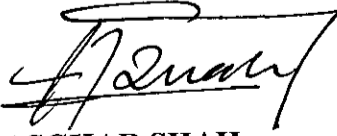
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accused/petitioner on bail on account of he being juvenile and entitled for concession of bail u/s 6 (3) of Juvenile Justice System Act, 2018. No doubt the accused/petitioner is a juvenile, however, he is charged for heinous offense as defined in section 2 (g) of the ibid Act. Moreover, the accused/petitioner has caused firearm injuries to two persons including a juvenile wherein one of the injuries to the complainant is on the right side of the chest i.e. on the vital part of his body. The specific role of firing has been attributed to the accused/petitioner besides he is directly and by name charged for the day light occurrence. The local police recovered one empty of 30 bore from near the place of accused/petitioner. Medico legal reports of the injured and PWs support the version of the complainant. The offense attracts prohibitory clause of section 497 Cr.P.C. Thus, in the light of above, accused/petitioner is not entitled for the concession of bail. Accordingly, bail petition in hand stand dismissed being meritless.

5. File be consigned to Session Record Room for after further necessary compilation and completion.

Announced
17.11.2020


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