

IN THE COURT OF HAQ NAWAZ,
SESSIONS JUDGE, ORAKZAI AT BABER
MELA

Bail Application No. : 54/4 of 2025
Date of Institution : 04.06.2025
Date of Decision : 05.06.2025

ORDER

Sr. PP, Abul Qasim for the State and Abid Ali Advocate for accused/petitioners present. Record received. Injured Hazrat Ullah present through his father Mast Ali Shah. I heard arguments and perused the record.

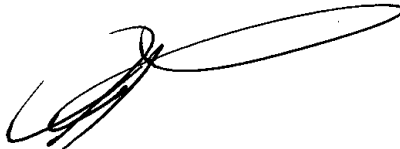
2. Accused/petitioners, **Aqal Khan** and **Yousaf Khan** both s/o Ameen Khan seek their post arrest bail in case FIR No. 43, Dated 29.05.2025, u/s 302/506/34 PPC and 15AA of Police Station Mishti Mela. As per contents of FIR, the complainant, Muhammad Younas SHO during surveillance of the area received information regarding firing between the accused/petitioners and Latif Khan and Ameen Ullah as a result of dispute over home construction. The complainant along with other police contingents reached there and came to know that the parties had fired upon each other and that a passerby, namely Hazrat Ullah s/o Mast Ali Shah has received fire shot and has been injured. Hence, the present FIR.


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3. After hearing both the parties and perusal of the record, it was found that the accused are directly charged in the FIR for the commission of offence falling under the prohibitory clause of Section 497 CrPC. The cross firing of the petitioners with their opponent resulted into the injury of a passerby on the vital part of his body which is supported by the medical evidence. The empties have been recovered from the place of occurrence and the weapon of offence has also been recovered from one of the petitioners.
4. In such circumstances, the petitioners are not entitled to the concession of bail at this stage of the case. Therefore, the application is rejected.
5. Copy of this Order be placed on police/judicial file.
File of this Court be consigned to record room after its necessary completion and compilation.

Announced:
05.06.2025




(HAQ NAWAZ)
Sessions Judge, Orakzai
at Baber Mela