



4

BA NO. 91/4 OF 2025

ABDUL WAQEEB VS THE STATE

FIR NO. 44, DATED, 03.06.2025, U/S 11 (1) 4 CNSA & 324/353 PCC &
15AA, POLICE STATION: MISHTI MELA

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


Bail Application No. : 91/4 of 2025
Date of Institution : 17.07.2025
Date of Decision : 26.07.2025

ORDER

Sr. PP, Abul Qasim for the State present.

Arguments already heard and record perused.

2. Accused/petitioner, **Abdul Waqeeb** s/o Gulistan seeks his post arrest bail in case FIR No. 44, Dated 03.06.2025, u/s 11 (1) 4 CNSA, 324/353 PPC & 15AA of Police Station Mishti Mela. As per contents of FIR, the complainant, Muhammad Younas SHO along with other police officials were on surveillance duty of the area when he received information regarding the presence of a proclaimed offender in case FIR No. 13, Dated 27.03.2025, u/s 382/506 PPC and case FIR No. 33, Dated 14.05.2025, u/s 506 PPC, namely Abdul Waqeeb in the Flying-Coach Adda at Mishti Mela Bazar. The local police, acting on this information, reached to the spot and found the above-named person. He, while avoiding his lawful arrest, started firing upon the police party with the intention to kill them; as a result, the SHO got hit but he luckily remained unhurt. The person was


Haq Nawaz
District & Sessions Judge
Orakzai at Baber Mela

(S)

BA NO. 91/4 OF 2025

ABDUL WAQEEB VS THE STATE

FIR NO. 44, DATED, 03.06.2025, U/S 11 (1) 4 CNSA & 324/353 PCC &
15AA, POLICE STATION: MISHTI MELA

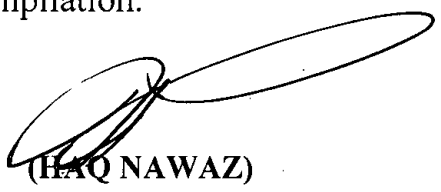
overpowered and a 30-bore pistol bearing No. NA008 along with a fixed charger was recovered by the complainant. The complainant also recovered a plastic shopper from his side pocket containing 200 grams ICE. Hence, the present FIR.

3. After hearing both the parties and perusal of the record, it was found that the accused/petitioner is directly charged in the FIR for the commission of offence of firing upon the police officials resulting into hitting the complainant on his uniform. The uniform shirt, having corresponding fire marks, has been taken into possession. Empty shells were also recovered from the spot besides the weapon of offence taken into possession from the accused soon after the occurrence. The positive FSL reports of the crime empties to have been fired from the recovered weapon and the recovered contraband was ice, further strengthens the prosecution case.

4. In such circumstances, the petitioner is 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:
26.07.2025


(HAQ NAWAZ)
Sessions Judge, Orakzai
at Baber Mela