

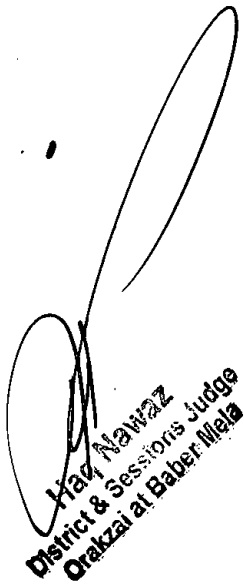
IN THE COURT OF HAQ NAWAZ,
SESSIONS JUDGE, ORAKZAI AT BABER
MELA

Bail Application No : 108/4 of 2025
Date of Institution : 06.08.2025
Date of Transfer-In : 20.08.2025
Date of Decision : 22.08.2025

ORDER


Mr. Abid Ali and Mukhtar Ali Advocates for accused/petitioner, Mr. Insaf Ali Advocate for complainant and Sr. PP, Abdul Qasim for the State present. Injured Wahid Gul absent. I heard arguments and perused the record.

2. Accused/petitioner, **Saifoor Khan** s/o Misri Khan seeks his post arrest in case FIR no. 83, dated 25.07.2025, u/s 324/184/149 PPC of Police Station Kalaya. As per contents of FIR, the local police responding to information regarding the incident, rushed to THQ Hospital Kalaya on 25.07.2025 and found the injured Zakir Ullah and Muhammad Akhlaq in the emergency room. The complainant/mediator Malik Ameen reported the matter to the police at about 1830 hours that he along with Raib Khan, Ameen Khan and Shahzad were present with the opponent parties to settle their land dispute on the eventful day but the


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settlement failed rather a squabble started between the parties and they assaulted each other with stones at about 1800 hours; as a result, Ziarat Gul, Asad Ullah, Khan Zada, Wahid Gul and Raib Khan sustained injuries. The complainant further reported that the accused Shahzad Khan, Asal Khan, Muhammad Tayyab and Molat Khan made firing with Kalashnikovs which resulted in the injuries of Zakir Ullah and Muhammad Akhlaq. The motive behind the occurrence was a dispute over the landed property.

3. On the same day, the petitioner Saifoor Khan, vide Daily Diary No. 16 of 25.07.2025, made a report to the police at about 1840 hours that they along with Malik Ameen, Abdul Rauf, Panoos and Mian Khel were present to settle a land dispute when a squabble started between them at about 1810 hours and the accused Malik Ameen, Dilap Khan, Panoos, Zamin Khan, Mian Khel, Muhammad Doran, Raib Khan and Abdul Rauf attacked the complainant party with sticks and stones; as a result, Ziarat Gul, Asad Ullah, Khan Zada and other persons sustained injuries. He further reported that the accused made firing upon them but they luckily escaped unhurt.


Haq Nawaz
District & Sessions Judge
Orakzai at Baber Mela

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BA No. 108/4

Saifoor Khan VS The State

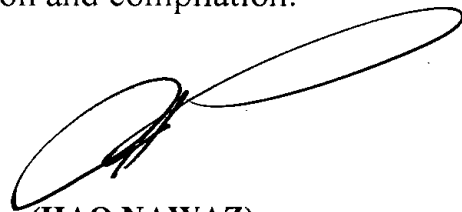
FIR No. 83, Dated: 25.07.2025, u/s 324/148/149 PPC,

Police Station: Kalaya

4. After hearing both the parties and perusal of the record, it was found that the accused/petitioner is specifically charged by the injured Wahid Gul in his statement recorded under Section 161 CrPC for causing injury to him. The medical evidence supports the case of prosecution. According to which, the injured Wahid Gul sustained grievous injury for disfigurement. Hence, the accused/petitioner is not entitled to the concession of bail at this stage; therefore, his application for post-arrest bail is turned down.
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:

22.08.2025



(HAQ NAWAZ)

Sessions Judge, Orakzai
at Baber Mela