


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

Bail Application No : 129/4 of 2025
Date of Institution : 10.09.2025
Date of Decision : 12.09.2025

ORDER

Hassan Khan Advocate for accused/petitioner present. Sr. PP for the State present. Counsel for the complainant submitted written arguments. Record received. Arguments heard and record perused.

2. Accused/petitioner, **Abdul Zari** s/o Muhammad Rehman seeks his post arrest in case FIR No. 62, Dated 26.07.2025, u/s 324/109/34 PPC of Police Station Mishti Mela. As per contents of FIR, the local police responding to information regarding the incident, rushed to DHQ Hospital Mishti Mela on 26.07.2025 and found the injured Mujeeb Ur Rehman in the emergency room. The complainant, Rasheed Ahmad, reported the matter to the police on 26.07.2025 at 1515 hours that he along with Mujeeb Ur Rehman and Zia Ur Rehman were busy in construction of their new house when the injured/accused Irfan Ullah duly armed, Ihsan Ullah, Qeemat Khan and Noor Muhammad


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proceeded towards the landed property of the complainant. He further reported that Mujeeb Ur Rehman tried to stop them, and in the meanwhile, they got furious and the accused Irfan Ullah, on the command of the accused Qeemat Khan, made firing with the pistol upon the complainant party at 1455 hours; as a result, Mujeeb Ur Rehman got hit and sustained injury while he and Zia Ur Rehman luckily escaped unharmed. A land dispute was reported as motive for the occurrence.

3. On the same day, the complainant, Said Jameel, vide Daily Diary No. 19, also made a report to the police in the emergency room of DHQ Hospital Mishti Mela at 1600 hours that his cousin Noor Muhammad and Surat Shah visited their house, and after *zuhar*, they were travelling to their house situated at Tali Shadal with the injured Irfan Ullah when the accused Muhammad Tahir, Rehmat Ullah, Muhammad Yaqoob and Abdul Zari(accused/petitioner) appeared and started firing upon the complainant party at 1455 hours; as a result of accused Rehmat Ullah's firing, Irfan Ullah sustained injuries while the complainant's cousin luckily escaped unhurt.

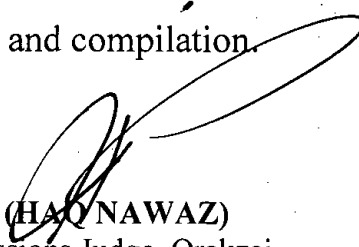


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4. After hearing both the parties and perusal of the record, it was found that the accused/petitioner is charged for ineffective firing in DD No. 19 along with three other accused. The son of complainant sustained firearm injury in the incident for which the co-accused Rehmat Ullah is specifically charged. The co-accused with a similar role has already been admitted to bail; therefore, the present accused is also entitled to the concession of bail on the basis of rule of consistency.
5. In view of the above, the accused/petitioner is admitted to bail subject to submission of bail bonds to the tune of Rs. 100,000/- with two sureties, each in the like amount to the satisfaction of this Court. The sureties must be local, reliable and men of means.
6. 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:

12.09.2025


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Sessions Judge, Orakzai
at Baber Mela