

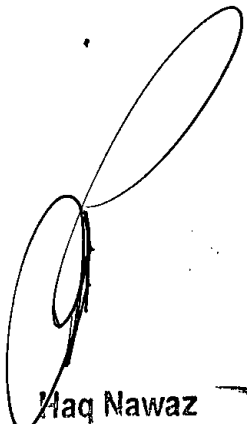
IN THE COURT OF HAQ NAWAZ,
SESSIONS JUDGE, ORAKZAI AT BABER
MELA

BBA No : 132/4 of 2025
Date of Institution : 15.09.2025
Date of Decision : 10.10.2025

ORDER


Accused/petitioner, **Badar Sher** on ad-interim pre-arrest bail along with counsel present. Sr. PP, Abul Qasim for the state present. Saifoor Khan in person and Muhammad Doran present through his cousin namely Muhammad Yasir along with counsel present. Arguments heard.

2. Accused/petitioner, **Badar Sher S/O Zarif Khan**, R/O Qaum Mandra Khel, Feroz Khel, Lower Orakzai seeks confirmation of his pre-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


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parties to settle their land dispute on the eventful day but the 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 complainant 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

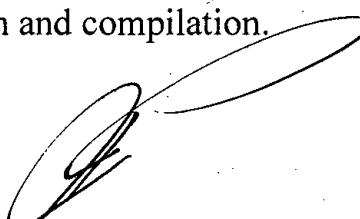


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further reported that the accused made firing upon them but they luckily escaped unhurt.

4. After hearing both the parties and perusal of the record, it was found that though the accused/petitioner was neither nominated in the FIR, nor in DD No. 16, but he was specifically charged by the injured Muhammad Doran 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 Muhammad Doran sustained grievous injury. Hence, the accused/petitioner is not entitled to the extraordinary concession of pre-arrest bail. Ad-interim pre-arrest bail earlier granted to the accused/petitioner is hereby recalled and the BBA in hand resultantly stands dismissed.
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:
10.10.2025


(HAQ NAWAZ)
Sessions Judge, Orakzai
at Baber Mela.