

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

Bail Application No : 166/4 of 2025
Date of Institution : 25.10.2025
Date of Decision : 06.11.2025

ORDER

Sana Ullah Khan Advocate for accused/petitioner,
Mr. Abid Ali Advocate for complainant and Sr.
PP, Abdul Qasim for the State present. Arguments
heard and record perused.

2. Accused/petitioner, **Ahmad Ali** s/o Malak Shah
seeks his post arrest in case FIR No. 121, Dated
19.10.2025, u/s 336/34 PPC of Police Station
Kalaya. As per contents of FIR, the local police,
while responding to the information regarding the
incident, rushed to THQ Hospital Kalaya on
03.09.2025 and found the injured Mujeeb Ur
Rehman in unconscious condition in the
emergency room. The relative of the injured
namely Muhammad Ayyaz reported the matter to
the local police on 03.09.2025 at about 1805 hours
that he along with Mujeeb Ur Rehman were
present in Nawe Masjid situated at Tarkho Sam
Stori Khel at 1620 hours when the accused Gul
Wali Khan and Ahmad Ali, in possession of sticks,


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arrived there and assaulted Mujeeb Ur Rehman; as

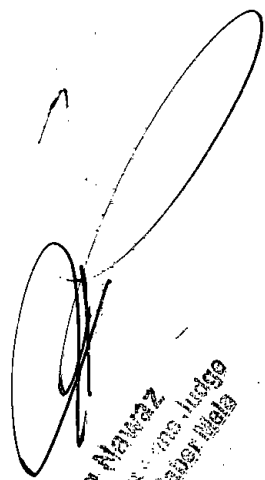
a result, he sustained injuries on his head, face and

eye. The motive behind the occurrence was a land

dispute.

3. On the same day, the injured Ahmad Ali, vide Daily Diary No. 25 of 03.09.2025, also reported to the local police in the emergency room of THQ Hospital Kalaya at 1950 hour to the effect that they have laid foundation for construction at Tarkho Sam Stori Khel and the accused Zahir, Sajjad and Mujeeb were demolishing it at 1620 hours when Ahmad Ali and his brother Gul Wali arrived there and asked that why they are demolishing the groundwork, at which the accused abused them and assaulted them with stones; as a result, Ahmed Ali sustained injury on his head and his brother Gul Wali also received injuries. He further reported that they were running towards the house when the accused Muhammad Ayyaz criminally intimidated them by making aerial firing and they took shelter in the house. The marks of fire shots are present on the walls and main gate of the house.

2. After hearing both the parties and perusal of the record, it was found that the accused/petitioner is


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directly charged in the FIR for the offence falling in the prohibitory clause of Section 497 CrPC. The medico legal report of the injured Mujeeb Ur Rehman supports the case of prosecution. According to which, the injured sustained dangerous injury and has lost his eyesight. 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.

3. 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:

06.11.2025



(HAQ NAWAZ)

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