

IN THE COURT OF SENIOR CIVIL JUDGE/JM, ORAKZAI**Bail Petition 13/04 BA of 2026.****Date of institution.....14.01.2026.****Date of decision.....16.01.2026.****Order.02****16.01.2026**

Sr. PP for the state/complainant present. Accused through counsel Mr. Sana Ullah Khan Advocate present. Record received. Arguments heard.

Accused/petitioner namely Muhammad Tayyab S/O Saifoor Kha R/O Mandara Khel, Tehsil Lower, District Orakzai is seeking his post arrest bail in case FIR No. 08, Dated: 11.01.2026 U/S 324-353-216-186-187-189-341-427-148-149-PPC/15AA, PS Kalaya, Orakzai.

Perusal of record reveals that accused/petitioner is directly and by name charged with effective role of firing in promptly lodged FIR. The offence with which accused/petitioner is charged falls within the ambit of prohibitory clause of Section 497 Cr.P.C.

The petitioner is an absconder in a case where cross-versions of the incident are on record. Clearly, he was in knowledge of being charged for an offence and being required to police. The FIR reads that upon seeing the police vehicle the accused starting firing at it. He was apprehended on site with the weapon of attack, and the empties were

Senior Civil Judge
Orakzai
16.01.2026

also recovered from the site. The FIR continues that after the arrest of

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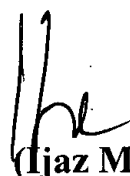
petitioner, his co-accused ran to his house nearby. The attempt to arrest him was resisted by the locals, and in the scuffle police officials received injuries, which are also supported by the findings of the medical officer.

Sufficient material is available on file to persuade the court to withhold the concession of bail. Accused/petitioner and he is not entitled to the concession of post arrest bail.

Consequently, the application is turned down. Copy of this order be placed on judicial as well as police file. Requisitioned record be sent back to the quarter concerned forthwith.

File be consigned to record room after its necessary completion and compilation.

ANNOUNCED:
16.01.2026


(Ijaz Mahsood)
Senior Civil Judge/JM,
Orakzai.