

IN THE COURT OF SENIOR CIVIL JUDGE/JM, ORAKZAI

Bail Petition 14/04 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. 83, Dated: 25.07.2025 U/S 324-148-149 PPC PS Kalaya, Orakzai.

Record shows that although, accused/petitioner is directly and by name nominated in the FIR and the punishment for the offence for which the accused/petitioner is charged, falls within the ambit of prohibitory clause of Section 497 Cr. PC. However, a naqal madh comprising on cross version of the incident is also available on file. Both sides allege that the other side attacked and caused injuries. Which version is reliable for the purpose of bail at this stage is hard to fix. In such circumstances, when aggressor and victim cannot be told apart, the law favors the petitioners. Moreover, some of the accused similarly


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charged are already on bail, so consistency also recommends grant of bail.

Consequently, application in hand is allowed. Petitioner be released on bail subject to furnishing bail bonds in the sum of Rs. 70,000/- (Seventy thousand) with two sureties each in the like amount to the satisfaction of this court. Copy of this order be placed on police as well as judicial record. Record be returned back to the quarter concerned.

File of this court be consigned to record room after necessary completion and compilation.

ANNOUNCED:
16.01.2026


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