

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

Bail Application No. : 31/4 of 2026

Date of Institution : 13.02.2026

Date of Decision : 16.02.2026

ORDER

Accused/petitioners present through clerk of counsel. Sr. PP, Abul Qasim for the State present.

Counsel for the complainant absent. Complainant present in person. He relied upon the arguments advanced by learned Sr. PP. Arguments of counsel for the accused/petitioner already heard while arguments of Sr. PP heard and record perused.

2. Accused/petitioners, **Shahid Khan** s/o Gula Khan and **Ikram Ullah** s/o Habib Khan seek their post arrest bail in case FIR No. 53, Dated 22.09.2025, u/s 324/365/511/506/427/148/149/34 PPC of Police Station Kurez Boya. As per contents of FIR, the complainant, Asal Khan, reported the matter to the local police on 22.09.2025 at 1645 hours that he along with injured Nek Nawaz and Umar Farooq were present near a river at Koko Dara District Orakzai on 22.09.2025 at 1520 hours when the accused Muslim Ali and co-accused, in possession of Kalashnikovs, arrived there and assaulted them. They also made firing; as a result,

  
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Nek Nawaz and Umar Farooq sustained injuries while he luckily escaped unharmed. Motive behind the occurrence was drinking water by the cattle from the river.

3. On the same day, one Imtiaz Ali also made a report to the local police at 1930 hours, vide Daily Diary No. 21 of 22.09.2025, to the effect that the accused/petitioner Shahid Khan and co-accused herd their cattle to his fields causing damage to the crop. He told them that their cattle have been causing damage to his crops for a few days. An altercation started between them and the accused assaulted him and tried to abduct him, when, in the meanwhile, firing started from Koko Dara and the accused abandoned him. He further reported that he found that two of the accused sustained injuries as a result of firing from their companions. Motive behind the occurrence was herding cattle in the fields.

4. After hearing both the parties and perusal of the record, it was found that though the accused/petitioners are directly charged for the commission offence. But there is delay of almost 04 hours in lodging the report. More than 13 accused have been charged for the commission of

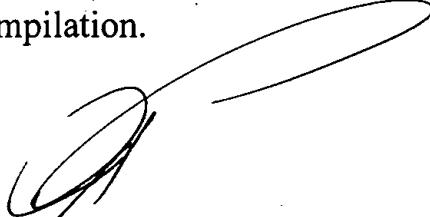
  
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offence. There is no medical report in support of the allegations of beating the complainant by the petitioners. Moreover, the BBA petition of the co-accused with a similar role has been accepted; therefore, the present accused/petitioners are also entitled for bail on the basis of rule of consistency.

5. Hence, in view of what is discussed above, the accused/petitioners are admitted to bail subject to submission of bail bonds to the tune of Rs. 100,000/- with two sureties each, 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:**  
16.02.2026



(HAQ NAWAZ)  
Sessions Judge, Orakzai  
at Baber Mela