

(4)

BA NO. 18/4 OF 2025
KAMRAN KHAN VS STATE
CASE FIR NO. 06, DATED, 04.02.2025, U/S 302/311 PPC, POLICE
STATION MISHTI MELA

IN THE COURT OF SYED OBAIDULLAH SHAH,
SESSIONS JUDGE, ORAKZAI

Bail Application No. : 18/4 of 2025
Date of Institution : 20.02.2025
Date of Decision : 27.02.2025

KAMRAN KHAN VS THE STATE

ORDER

DPP, Umar Niaz for the State and Sanaullah Khan Advocate for accused/petitioner present. Complainant present in person. Arguments heard and record gone through.

2. The accused/petitioner, **Kamran Khan** s/o Mir Gul seeks his post arrest bail in case FIR No. 06, dated 04.02.2025, u/s 302/311 PPC of Police Station Mishti Mela, wherein as per contents of FIR, the local police acting on information reached the place of occurrence and found the dead body of Robeena Bibi daughter of Mir Gul. The complainant Mir Gul (father of the deceased) made a report to the local police to the fact that a day before the occurrence, his son Kamran Khan brought Robeena Bibi from Dar-ul-Aman Kohat where she had sought asylum. That on the day of occurrence at 1920 hours, he was busy while having dinner, heard hue and cry upon which he came out of his house where Kamran Khan opened


Syed Obaidullah Shah
District & Sessions Judge
Orakzai at Baber Mela

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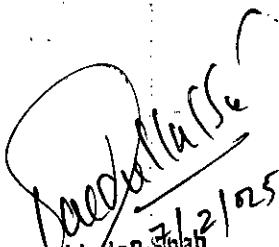
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fires through his pistol upon Robeena Bibi on the pretext of having illicit relationship with the late Umar Ayaz and as result of firing, she got hit and died on the spot. Hence, the present FIR.

3. Learned counsel for the accused/petitioner argued that the accused/petitioner has falsely been implicated in the instant case to scot-free the actual culprit, that there is nothing available on file to connect the accused/petitioner with the commission of offence. On the contrary, the D.PP for the state put forward his arguments that the accused/petitioner has directly been charged in the FIR, the offence for which the accused/petitioner is charged, is heinous in nature.

4. Upon reviewing the record, it's apparent that the accused/petitioner is directly nominated in the FIR for the offence falling within the prohibitory clause of 497 Cr.P.C. The offence is non-compoundable in nature. Moreover, the medico legal evidence and the recoveries made from the spot of occurrence prima facia connect the accused/petitioner with the commission of offence. The report followed by registration of case is prompt that excludes the chances of deliberation.


Syed Obaidullah Shah
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5. Hence, in view of what is discussed above, it is held that sufficient material is available on file which reasonably connects the accused/petitioner with the commission of offence; therefore, he is not entitled to the concession of bail at this stage. The instant post-arrest bail application is thus turned down.
6. Order announced. File of this court be consigned to record room after its necessary completion and compilation. Copy of this order be placed on judicial/police file.
7. This order is tentative in nature and would have no effect upon the trial of the accused/petitioner.

Dated: 27.02.2025




27/2/25
SYED OBAIDULLAH SHAH
Sessions Judge, Orakzai
at Baber Mela