

BA NO. 210/4 OF 2026
ALAMZEB VS THE STATE
FIR NO. 56, DATED: 19.08.2026, U/S 324/34 PPC,
POLICE STATION: KALAYA

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

Bail Application No. : 210/4 of 2026
Date of Institution : 03.09.2026
Date of Decision : 05.09.2026

ORDER

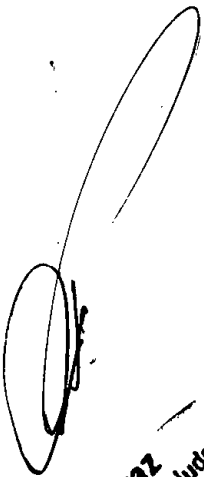
Counsel for the accused/petitioner and Sr. PP, Abul Qasim for the state present. Complainant Shahid Ullah present. He submitted Wakalatnama of Sana Ullah Khan Advocate on behalf of complainant. Sana Ullah Khan Advocate appeared on WhatsApp videocall. Arguments heard and record perused.

2. Accused/petitioner, **Alamzeb** s/o Ghazi Khan seeks his post-arrest bail in case FIR No. 56, Dated 19.08.2026, u/s 324/34 PPC of Police Station Kalaya. As per contents of the FIR, the local police, while responding to the information regarding the occurrence, reached DHQ Hospital Mishti Mela on 07.02.2026 and found the injured Muhammad Shahid in the emergency room. He reported the matter to the local police at 1945 hours to the effect that he was taking cattle to his house from nearby fields on the eventful day when the accused/petitioner and co-accused made firing at him at 1810 hours with the intention to kill him


Haq Nawaz
District & Sessions Judge
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and that he sustained injuries on his left thigh from the firing of accused/petitioner while the co-accused caused him injuries on his shoulder. They also made firing upon house of the complainant. Hence, the present FIR.

3. After hearing both the parties and perusal of the record, it was found that the accused/petitioner is directly charged in the FIR with specific role for inflicting two firearm injuries to complainant in a daylight occurrence. The medico legal report supports the prosecution's case. The accused remained absconder for more than a month. The learned counsel for the petitioner submitted that the accused was present on his duty at the relevant time and the investigation officer has also collected the register of his attendance at the relevant day which is available on record. The perusal of said record shows that the plea of alibi was taken before the IO on 14.08.2026 after obtaining interim pre-arrest bail by the accused, who produced a letter from District Emergency Officer Emergency Rescue Service (Rescue-1122) District Orakzai to District Police Officer, Orakzai dated 15.07.2026 regarding his plea of alibi. According to 2017 MLD 1128, relied by counsel

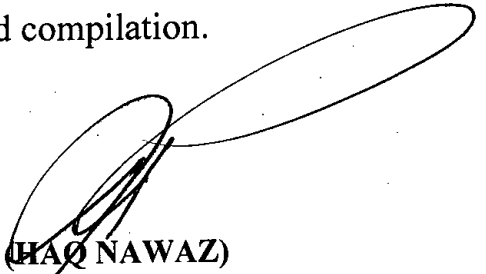


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for the petitioner, *"tests which were required for genuineness of plea of alibi should be that it had been taken at the earliest, that it appeared to be reasonable and there was no question of manipulation for the same"*.

4. Since, the accused has taken the plea of alibi with considerable delay, therefore, the plea of his alibi is not considerable in the given circumstances. The application is, therefore, rejected.
5. 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:
05.09.2026


(HAQ NAWAZ)
Sessions Judge, Orakzai
at Baber Mela