

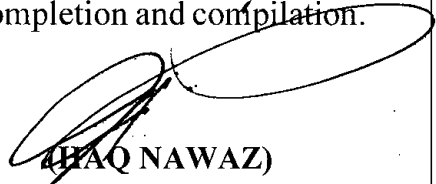
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IN THE COURT OF SESSIONS JUDGE, ORAKZAI AT BABER MELA

Case Title: Muhammad Sabir VS State

FIR no. 68, Dated: 16-8-25, u/s 324 PPC, PS Mishti Mela

Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary.
1	2	3
Order No.05	01.10.2026	Counsel for the accused/petitioner, Muhammad Sabir and Sr. PP, Abul Qasim for the state and Khursheed Alam Advocate for complainant present. Record received. Arguments heard and record perused. The accused/petitioner seeks his post-arrest bail in case FIR No. 68, Dated 16.08.2025, u/s 324 PPC of Police Station Mishti Mela. His counsel submitted an application that the actual name of the petitioner according to his CNIC is Muhammad Sabir which is incorrectly mentioned in the record as Sabir Ullah. As per contents of the FIR, the local police, while responding to the information regarding the occurrence, rushed to DHQ Hospital Mishti Mela on 15.08.2025 and found the injured Amzat Ullah in the emergency room. The complainant, Azmat Ullah, reported the matter to the local police at 04:45 hours that he was present in his house when his younger brother came there and told him that the accused/petitioner Sabir Ullah had been teasing him for a few days. That the complainant went towards the house of Sabir Ullah at 1830 hours and when he reached to the spot, the accused was present there. That the complainant asked him the reason for teasing his brother; he replied that the brother of complainant was cutting his walnut trees; upon which an altercation started between them and the accused/petitioner got furious, took out a pistol from his trouser-fold and made firing upon the complainant which resulted into his injuries.

Haq Nawaz
District & Sessions Judge
Orakzai at Baber Mela

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		Motive behind the occurrence was cited to be cutting walnut trees. After hearing both the parties and perusal of the record, it was found that the accused/petitioner is directly nominated in the FIR for the commission of offence. Medical report supports the prosecution's case. According to which, the injured/complainant sustained two firearm grievous injuries on his person attributed to the petitioner. The learned counsel for the petitioner produced copy of the Bail Order Dated 28.09.2026, passed by the Hon'ble Peshawar High Court, Peshawar in Cr. MBA No. 2684-P of 2026 and submitted that the petitioner is entitled to the concession of bail on the basis of principal enunciated in the said order. The perusal of said judgment discloses the facts of said case differentiable from the present case as a single stab wound was attributed to the petitioner Siraj with a knife whereas the present case involves multiple firearm injuries sustained by the complainant. In view of the above facts and circumstances, the accused/petitioner is disentitled to the concession of bail. The application is, therefore, dismissed. Copy of this order be placed on judicial/police file. File of this Court be consigned to record room after its necessary completion and compilation. <u>Announced:</u> 01.10.2026  AFAQ NAWAZ) Sessions Judge, Orakzai at Baber Mela