

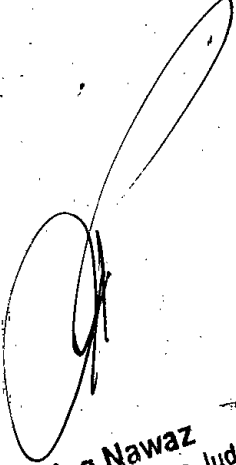
IN THE COURT OF HAQ NAWAZ,
SESSIONS JUDGE, ORAKZAI AT BABER
MELA

Bail Application No. : 234/4 of 2026
Date of Institution : 03.10.2026
Date of Decision : 09.10.2026

ORDER

Sana Ullah Khan Advocate for accused/petitioners present. He submitted an application seeking addition of Section 338-C PPC in the bail petition. The application seems genuine; it is, therefore, accepted. The Moharrir is directed to made necessary entries. Re-arguments heard and record perused.

2. Accused/petitioners, **Mahdad Ullah** and **Raziq Gul**, both sons of Zar Gul seek their post-arrest bail in case FIR No. 56, Dated 07.05.2026, u/s 324/338-C/34 PPC of Police Station Kalaya. As per contents of the FIR, the local police, while responding to the information regarding the occurrence, rushed to the crime scene on 07.05.2026. The complainant/brother-in-law of the injured, Muhammad Kamran, made a report to the local police at 1305 hours that he was present outside his house and his sister-in-law also came out for some household chores. In the meanwhile, firing started between Baseer Khan and Asim on the one hand and Ghilaf Gul (petitioner Mahdad Ullah) and Raziq Gul on the other hand; as a result of firing of the petitioner Ghilaf Gul, the sister-in-law of the complainant namely Shazia Bibi wife of Adil Khan got hit and

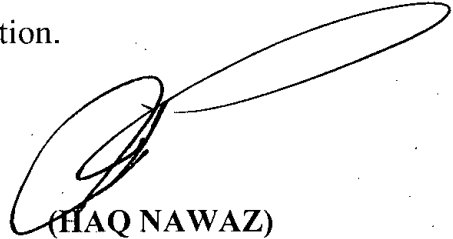

Haq Nawaz
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sustained injury. She was taken to DHQ Mishti Mela.

Later on, during investigation of the case Parwana was issued for correction in the name of the accused 'Ghilaf Gul' as 'Mahdad Ullah'.

3. After hearing both the parties and perusal of the record, it was found that the accused/petitioner Mahdad Ullah is directly charged for causing injury to Shazia Bibi resulting into sustaining her injuries and miscarriage of a 08-months baby. The offence falls under the prohibitory clause of Section 497 CrPC. The medical evidence supports the prosecution's case. Therefore, the petitioner Mahdad Ullah is not entitled to the concession of bail at this stage of the case.
4. The accused/petitioner Raziq Gul has not been attributed any active role in the commission of offence except his presence on the spot.
5. In such circumstances, the application to the extent of accused/petitioner Raziq Gul is accepted subject to furnishing two surety bonds to the tune of Rs. 100,000/- 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:
09.10.2026


(HAQ NAWAZ)
Sessions Judge, Orakzai
at Baber Mela