

JUDGMENT SHEET***PESHAWAR HIGH COURT
ABBOTTABAD BENCH
(Judicial Department)*****Cr. M No. 360-A/2025.*****Sohrab.******(Accused/petitioner/s)******V e r s u s.******The State and another.******(Respondent/s)******Present:*** *Sardar Javed, Advocate for
petitioner.**Mr. Ibrar Ifrahim, AAG for
respondent/State.**Mr. Ansarullah Gujar, Advocate
for complainant.***Date of hearing: 04.06.2025.****O R D E R**

SYED MUDASSER AMEER, J. This order is directed to dispose of an application filed by the petitioner for grant of post arrest bail in case FIR No. 106 dated 20.03.2025 registered under sections 365, 376, 511, 337-A(IV) PPC read with section 53/37 of CPA at Police Station, Battal, District, Mansehra.



2. Arguments heard and record perused.
3. Although the accused/petitioner is not nominated in the crime report, however, perusal of record manifestly shows that on the very

next day of alleged occurrence i.e on 20.03.2025, the abductee/victim (daughter of complainant) aged about 08 years was recovered in injured condition having stones on her body, on the pointation of some girls of locality and thus, the complainant has nominated the present accused/petitioner in her supplementary statement by disclosing the whole story. The offence allegedly committed is heinous in nature, effecting not only the individual or his/her family but the whole society collectively. Although the learned counsel for petitioner argued the case in great length but he failed to point out any ill will or mala fide on the part of complainant party. Accused being cousin of the complainant there is no question of mistaken identity by the minor girl who reported the whole ordeal upon gaining senses. Moreover, false implication ^{as} ~~as~~ any ill will is also not apparent from the sequence of events where the accused was not charged until the actual facts surfaced.



4. Given the foregoing facts and circumstances, there exists a prima facie case against the accused/petitioner, demonstrating his involvement in an offence of a grave and

heinous nature disentitling the petitioner from the concession of bail at this preliminary stage.

5. In light of what has been discussed above, the application in hand is found meritless, hence same is accordingly dismissed.

6. Observations recorded hereinabove are purely tentative in nature and should in no way prejudice an independent mind of learned trial court which needs to appraise the evidence strictly in accordance with law and merits of the case.

Announced.
04.06.2025.
Tahir CS


J U D G E