

(B)

IN THE COURT OF SHAUKAT AHMAD KHAN
SESSIONS JUDGE, ORAKZAI AT BABER MELA

Bail Application No : 16/4 of 2023
Date of Institution : 07.02.2023
Date of Decision : 09.02.2023

AMEEN BADSHAH VS THE STATE

ORDER

DPP, Umar Niaz for the State and Abid Ali Advocate for accused/petitioner present. Record received. Complainant Muhammad Ishfaq present in person. He does not want to engage a private counsel. Arguments heard and record gone through.

- (2). The accused/petitioner, after being refused to be released on bail vide order dated 06.02.2023 of learned Judicial Magistrate-I, Tehsil Kalaya, District Orakzai, seeks his post arrest in case FIR no. 5, dated 31.01.2023, u/s 381-A/34 PPC of Police Station Mishti Mela wherein, as per contents of FIR, the complainant on 31.01.2023 made a report to the police to the fact that on 02.11.2022 at about 1300 hours his motorcycle bearing Registration No. F8242/Hangu was stolen from his hujra, regarding which he is satisfied that the motorcycle was stolen by the present

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accused/petitioner along with his co-accused Ahmad Hussain. Hence, in the instant FIR.

(3). Perusal of the record shows that though the accused/petitioner is directly nominated in the FIR but the matter has been reported to the police with a delay of about 01 month and that too on the basis of his information and satisfaction without disclosing the source of information. Moreover, the offence for which the accused/petitioner is charged, does not fall within the restrictive clause of section 497 Cr.P.C.

(4). Hence, in view of what is discussed above, the accused/petitioner is admitted to the concession of bail provided he submits a bail bond in the sum of Rs. 100,000/- with two sureties, each in the like amount to the satisfaction of Judicial Magistrate/MOD. The sureties must be local, reliable and men of means.

(5). Copy this order be placed on police/judicial file. Consign.

Pronounced:
09.02.2023



SHAUKAT AHMAD KHAN
Sessions Judge, Orakzai
at Baber Mela