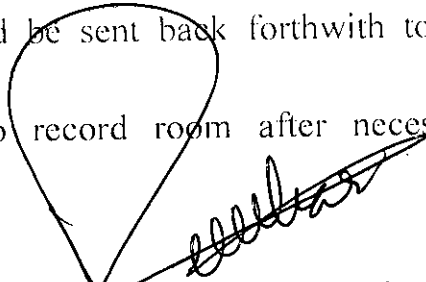


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**FORM "A"**

**FORM OF ORDER SHEET**

IN THE COURT OF SYED ABBAS BUKHARI, CIVIL JUDGE/JUDICIAL MAGISTRATE/CJ-II, KALAYA ORAKZAI  
Case Title: \_\_\_\_\_ Vs \_\_\_\_\_

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
Or-----02	10.05.2023	<p>APP for the state present. Accused/petitioner through father present. Complainant not present despite personal service. Record received. Accused/petitioner <b>Asif Nawaz S/O Rehman Khan</b>, R/O Mishti Mela, Chapra, District Orakzai, seeks his post arrest bail in case FIR No. 08, Dated: 03.05.2023 U/S 380/457/34 PPC registered at Police Station Daboori, District Orakzai.</p> <p>Learned counsel for accused/petitioner submitted written arguments with instant bail petition while learned APP for the State advanced arguments.</p> <p>Arguments heard and record perused.</p> <p>Brief facts of the case are that the complainant previously lodged instant FIR against the present accused/petitioner alongwith four unknown accused for theft of 13 solar plates installed at his tube well.</p> <p>Perusal of the available record would transpire that accused/petitioner has been directly charged in the instant case by the complainant and furthermore after arrest of accused, upon his pointation the stolen property i.e. seven solar plates were recovered from the house of accused/petitioner. Moreover, the offence is one of moral turpitude and effects the society in general. Furthermore, not falling of offence within the prohibitory clause of section 497 Cr.P.C, does not entitle the accused to the concession of bail rather every case has its own facts and circumstances. In present case no exceptional circumstances exist, which may entitle the accused to the concession of bail.</p> <p>In light of above discussion, instant bail petition is hereby <b>dismissed</b>. Record be sent back forthwith to the concern police station.</p> <p>File be consigned to record room after necessary completion.</p> <p><b>Announced</b> 10.05.2023</p> <div style="text-align: right;">   <b>Syed Abbas Bukhari,</b>          Judicial Magistrate-II,          Tehsil Court Kalaya, Orakzai       </div>