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COURT OF SENIOR CIVIL JUDGE/JM, ORAKZAI AT BABER MELA

Case Title: Asif Khan VS State

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 03	12.05.2023	<p>APP for the state present. Accused/petitioner through counsel present. The complainant present and submitted wakalat nama of the one Mr. Sana Ullah Khan advocate, who also appeared and argued against the petition. Record received.</p> <p>The petitioner namely Asif Khan s/o Habib Ur Rehman has applied for his post arrest bail in connection with case FIR No. 08, Dated: 06.05.2023, U/S 365/34 PPC, registered in PS: Ghiljo, U/Orakzai.</p> <p>Arguments heard and file perused.</p> <p>Though, accused is directly charged in the FIR but there is unexplained delay of 01 month plus time as per the record between the date of occurrence and the report to the local police and also the offence, for which accused is charged, does not come within the prohibitory clause of section 497 Cr.P.C, in such like cases the grant of bail is a rule while its refusal is an exception but there exist no exceptional circumstances in the present case. In addition to, accused is first offender and has got no criminal history at his credit.</p> <p>For the above reasons, the accused is entitled to the concession of bail at this stage, hence, application in hand is accepted subject to furnishing of bail bonds to the tune of Rs. 100,000/- with two local and reliable sureties each in the like amount to the satisfaction of this court.</p> <p>Copy of this order be placed on police record and the instant file be consigned to record room while record be sent back to the quarter concerned.</p> <p><u>Announced</u> 12.05.2023</p> <p> (Rehmat Ullah Wazir) SCJ/JM, Orakzai (at Baber Mela)</p>