

(04)

**IN THE COURT OF FARMAN ULLAH,**  
SENIOR CIVIL JUDGE/JM, ORAKZAI AT BABER MELA

**ORDER**  
24/07/2020

APP for the state present. Counsel for the accused/petitioner present.

The petitioner named Samandar Khan s/o Jalabat Khan has applied for his post arrest bail in connection with case FIR No. 32 dated 24/04/2020 u/s 341, 186,188,189,147,149 PPC registered in PS Kalaya Lower Orakzai.


Arguments heard and file perused.

Perusal of the record reveal that accused/petitioner is charged for offences u/s 341,186,188,189,147,149 PPC. Offences u/s 341,186,189,147,149 PPC are bailable in nature. Though offence u/s 188 is non bailable yet the punishment provided for such offence does not attract prohibitory clause of section 497 CrPC, hence the grant of bail in such cases is a rule while its refusal as exception however no exceptional circumstances exists in instant case. The accused/petitioner is neither previous convicted nor he has confessed his guilt.

For above, accused is entitled to the concession of bail at this stage, hence, application in hand is accepted and accused is released on bail subject to furnishing of bail bonds to the tune of Rs: 80,000/- with two local sureties each in the like amount to the satisfaction of the court.

Copy of this order be placed on police record and file be consigned to record room. Record requisitioned be sent to quarter concerned.

**ANNOUNCED**  
24.07.2020

  
**Farman Ullah**  
Senior Civil Judge,  
Orakzai at Baber Mela.