

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

ORDER

30/07/2020



APP for the state present. Accused petitioner through counsel. Record received.

The petitioners named Zarjan s/o Ashraf Ali has applied for his post arrest bail in connection with case FIR No. 30 dated 28/07/2020 u/s 15 AA ~~FIR~~ registered in PS Ghiljo upper Orakzai.

Arguments heard and file perused.

Perusal of the record reveal that allegedly Rifle Dangal was recovered by the Police during patrolling from the possession of accused. The site plan reveals that the place of occurrence is a busy place but in spite of that no statement of independent witness is available on file. Similarly, FSL report or Armor report is also not available on file. All these facts and circumstances make the case of accused one of further inquiry. The accused has neither confessed his guilt nor he is a previous convict. Moreover, the punishment provided for the offence also does not fall in the prohibitory clause of S. 497 CrPc, hence grant of bail in such like cases is a rule while its refusal is an exception, however, no exceptional circumstances exist in instant case.

For above, accused is entitled to the concession of bail at this stage, hence, application in hand is accepted and accused/petitioner 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

30.07.2020

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