

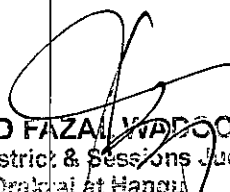
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IN THE COURT OF ADDITIONAL SESSIONS JUDGE ORAKZAI, AT BABAR MELA

BA No. 43/4 of 2023

Shabeer Vs State

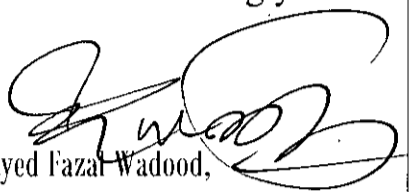
Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Order	31/05/2023	<p>Accused/petitioner through counsel Mr. Abid Ali, Complainant Razman Shah in person along with Mr. Sana Ullah Khan Advocate and APP for State are in attendance.</p> <p>2. Arguments heard; whereas, this is the disposal of post arrest bail application presented by accused/petitioner Muhammad Shabeer son of Lal Jan, resident of Qaum Ali Khel, Tappa Sher Khel, Tehsil Upper, District Orakzai.</p> <p>3. Razmeen Shah being complainant reported the incident of missing Solar Plant from the Tube Well established by the Public Health Engineering Department Orakzai at Zanka Khel to Police against Asif Nawaz and four other unknown person. Asif Nawaz being nominated accused was arrested and he during interrogation revealed the names of two other co-accused including present petitioner. Petitioner was arrested and is behind the bar that necessitated presentation of petition for grant of bail which is under consideration.</p> <p>4. Learned counsel for accused/petitioner and learned Assistant Public Prosecutor for State were heard at length and file gone through.</p> <p>5. This is tentative assessment of record available on file as deep appreciation is not required at this stage. Though the incident has promptly been reported but petitioner was not nominated as accused by name as it was initially against Asif Nawaz and other unknown persons. The accusation leveled against the petitioner is based on statement of co-accused. No recovery or confession has been recorded despite the physical custody of accused. The case is not falling within the prohibitory clause as well. All these facts renders the case of petitioner as that of further inquiry.</p>


SAYED FAZAL YAQOOB
Addl. District & Sessions Judge
Orakzai at Hangu

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6. For what has been discussed above, instant bail petition stands allowed subject to furnishing bail bonds to the tune of Rupees Eighty Thousands (80,000/-); with two sureties; each in the like amount; to the satisfaction of this Court. File of this Court be consigned to District Record Room after its necessary completion and compilation within the span allowed for; whereas, copy of this Order be placed on record of Police to be returned accordingly.

7. Announced in open Court


Sayed Fazal Wadood,
AD&SJ, Orakzai at Baber Mela