

**ORDER**  
30/08/2019

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

The petitioner named Habib Ur Rehman S/O Abdul Qayum has applied for his post arrest bail in connection with case FIR No. 17 dated 26/06/2019 u/s 379/427 PPC registered in PS Kalaya Lower Orakzai.

Arguments heard and file perused.

Admittedly, accused is directly charged in the FIR. Moreover, recovery has been affected from the direct possession of accused. However, there is no eye witness to the occurrence. Furthermore, the offence, for which accused is charged, does not come within the prohibitory clause of 497 CrPC. In addition to, accused is first offender and has got no criminal history at his credit. Further, a compromise has also been effected between the parties and the statement of the complainant to this effect is also recorded whereby he stated that the petitioner is innocent and he has got no objection if the accused is released on bail.

Hence, in the aforesaid circumstances, 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: 50,000/- with two local sureties each in the like amount to the satisfaction of this court.

Copy of this order be placed on police record and this File be consigned to record room after completion and compilation.

**ANNOUNCED**  
30/08/2019.

  
(Rehmat Ullah Wazir)

Civil Judge/JM-I,  
Orakzai at (Baber Mela)

Rehmat Ullah Wazir  
Civil Judge/JM-I  
Orakzai at (Babar Mela)