

Or.....03  
29-04-2020

APP for the state present. Counsel for the accused/petitioner present. The one Abid Ali advocate submitted wakalat nama on behalf of the complainant and resisted the instant application.

The petitioner named Abdul Khan Alias Abdullah S/O Meer Afzal has applied for his post arrest bail in connection with case FIR No. 10, Dated: 15/03/2020 U/S 379/427/447/147/149 PPC registered in PS Ghiljo Upper Orakzai.

Arguments heard and file perused.

*Continue.....*

Case Title: State VS Abdul Khan Alias Abdullah

Or-----03

Continued

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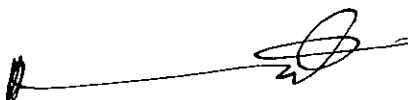
Admittedly, accused is directly charged in the FIR, but, all the offences, for which accused is charged, are bailable except the offence committed U/S 379 PPC but the punishment provided for the same is 03 years imprisonment or fine or both which do not come within the prohibitory clause of 497 Cr.PC, where the grant of bail is a rule while its refusal is an exception but, no exceptional circumstances have been pointed out by prosecution in the present case. Also the co-accused are already on bail. In addition to this, the accused is the first offender and have got no criminal history at his credit.

For above, 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: 80,000/- 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 File be consigned to record room and record be sent back to the quarter concerned.

**ANNOUNCED**

29/04/2020

  
**(Rehmat Ullah Wazir)/MOD**  
Judicial Magistrate-I,  
Orakzai at (Baber Mela)